

OF THE

SENATE AND HOUSE,

JUNE SESSION,

1843.

CONCORD;

CARROLL & BAKER, STATE PRINTERS. 1843.



JOURNAL

OF THE

HONORABLE SENATE

OF THE

STATE OF NEW-HAMPSHIRE,

AT THEIR SESSION

HOLDEN AT THE CAPITOL IN CONCORD,

COMMENCING WEDNESDAY JUNE 7, 1843.

PUBLISHED BY AUTHORITY.

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HONORABLE SENATE,

JUNE SESSION, 1843.

to the fullding performance of his duties and catered upon the

wednesday june 7, 1843.

This being the day prescribed by the Constitution for the Legislature of New Hampshire to assemble, the following persons elected Senators, appearing, took and subscribed the oaths of office agreeably to the provisions of the Constitution, viz:

From District No. 1-Hon. John K. Hatch,

No. 2-Hon. Jonathan Morrill,

No. 3-Hon. Simon P. Colby,

No. 4—

No. 5-

No. 6-Hon. Zebulon Pease,

No. 7—Hon. Titus Brown,

No. 8—Hon. Timothy Hoskins,

No. 9—

No. 10-Hon. Daniel M. Smith,

No. 11—Hon. Joseph Swett,

No. 12-Hon. Simeon Warner,

The Senate was called to order by the clerk of last year.

On motion of Mr. Warner-

The Senate proceeded to the choice of a chairman, and Hon. Simon P. Colby was elected and took the Chair.

On motion of Mr. Hoskins-

The Senate proceeded by ballot to the choice of a President, and Hon. Titus Brown was elected.

Mr. Brown addressed the Senate, signifying his acceptance of the office, and took the Chair.

On motion of Mr. Smith-

The Senate proceeded by ballot to the choice of a Clerk, and Henry E. Baldwin was elected.

On motion of Mr. Colby-

The Senate proceeded by ballot to the choice of an Assistant Clerk, and Moody Currier was elected.

On motion of Mr. Colby-

Ordered, That Mr. Smith be a committee to notify the Clerk and Assistant Clerk of their election.

On motion of Mr. Hoskins-

Ordered, That Messrs. Hoskins, Warner and Swett be a committee to nominate a Doorkeeper, for the Senate.

Moody Currier, elected Assistant Clerk, appeared, was sworn to the faithful performance of his duties and entered upon the same.

On motion of Mr. Colby-

Ordered, That the Clerk inform the House of Representatives that the Senate have assembled, chosen their constitutional officers and are ready to proceed to business.

On motion of Mr. Hoskins-

Resolved, That the Secretary of State be requested to lay before the Senate the record of the returns of votes given for Senators in the several senatorial districts of this State at the election in March last.

Ordered, That the Clerk notify the Secretary of State accordingly.

On motion of Mr. Colby—

Resolved, That the rules and regulations of the Senate last year be adopted as the rules and regulations of the present year until otherwise ordered.

On motion of Mr. Colby-

Resolved, That the joint rules of the two branches of the Legislature for the year 1842 be adopted as the joint rules of the two branches of the Legislature until otherwise ordered.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Smith-

Resolved, That a committee of three be appointed to report rules and regulations for the government of the Senate the present year.

Ordered, That said committee consist of Messrs. Smith, Hatch and Pease.

A message from the House of Representatives by their Clerk:

"Mr. President—I am directed to inform the Honorable Senate that the House of Representatives have assembled, have elected Hon. Samuel Swasey, Speaker, Albert G. Allen, Clerk, and Lewis Smith, Assistant Clerk, and are now ready to proceed to the business of the session.

The House of Representatives concur with the Honorable Senate in adopting the joint rules of the two branches of the Legislature for the year 1842, for the present year, or until otherwise ordered."

Agreeably to a resolution to that effect, the Secretary of State laid before the Senate the returns of votes given for Senators in the several senatorial districts in this State in March last.

On motion of Mr. Hoskins-

Resolved, That the returns of votes for Senators in the several senatorial districts in this State be referred to a select committee of three, with instructions to examine and cast the same, and report to the Senate whether any vacancies exist, and if so, in what senatorial districts.

Ordered, That Messrs. Hoskins, Morrill and Swett constitute said committee.

On motion of Mr. Smith-

The Senate adjourned until 3 o'clock.

AFTERNOON.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have appointed Messrs. Smith of Bradford, Burns and Clark of Manchester a committee with such as the Hon. Senate may join, to wait on His Excellency the Governor and inform him that quorums of both branches of the Legislature have assembled, are organized and ready to receive any communication he may be pleased to make, in which they ask the concurrence of the Hon. Senate.

On motion of Mr. Colby-

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to wait on His Excellency the Governor and inform him of the organization of the Legislature.

Ordered, That Mr. Warner be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Hoskins, from the select committee to whom was referred the returns of votes for Senators in the several senatorial districts in this State, reported, that they have attended to that duty, and that from an examination of the returns made in the Secretary's office, in compliance with the regulations of the Constitution, it appears that there is no election of Senators in Districts No. 4, No. 5, and No. 9. In district No. 4, it appears that the whole number of votes cast, and duly and legally returned, is 3,683; necessary to a choice 1,842; and no person having that number, there is no choice: and Isaac Hale and James Cochran are the two highest candidates. In district No. 5, the whole number of votes cast, and duly and legally returned, is 3,343: necessary to a choice 1,672: no one having that number, there is no choice: and Andrew Peirce, Jr. and Jeremiah Kingman are the two highest candidates. In district No. 9, the whole number of votes cast, and duly and legally returned, is 3,420: necessary to a choice 1,711: no one having that number, there is no choice: and Elijah Carpenter and James Batcheller are the two highest candidates.

Which report, on motion of Mr. Hoskins, was accepted. Henry E. Baldwin, elected Clerk, appeared, was sworn to a faithful performance of his duties and entered upon the same.

On motion of Mr. Hoskins-

Resolved, That the Clerk inform the House of Representatives that vacancies exist in senatorial districts No. 4, No. 5, and No. 9, and that Isaac Hale and James Cochran are the two highest candidates in district No. 4; and that Andrew Peirce, Jr. and Jeremiah Kingman are the two highest candidates in district No. 5; and that Elijah Carpenter and James Batcheller are the two highest candidates in district No. 9.

A message from the House of Representatives by their Clerk: "Mr. President—The House of Representatives are ready to meet the Honorable Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution."

On motion of Mr. Colby— Resolved, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elections.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall for the purpose of proceeding in the elections agreeably to the provisions of the Constitution, the Secretary of State came in and laid before the Convention the returns of votes for Governor from the several towns and places in the State.

On motion of Mr. Colby of the Senate-

The Convention proceeded to open, read and record the returns of votes for Governor from the several towns and places in this State, and completed the same.

On motion of Mr. Hoskins of the Senate-

Resolved, That the returns of votes for Governor be referred to a select committee, with instructions to compare and cast their numbers, and report to the Convention thereon.

Ordered, That Messrs. Hoskins of the Senate, Downing and Tudor of the House of Representatives constitute said commit-

tee.

On motion of Mr. Warner of the Senate—
The Convention rose and the Senate returned to their chamber.

IN SENATE.

Mr. Hoskins, from the select committee to whom was referred the nomination of Doorkeeper for the Senate the present session, reported the following resolution:

Resolved, That Joel Frazier be appointed Doorkeeper for the

Senate the present session.

On the question being put,
Shall the resolution be adopted?
It was decided in the affirmative.
So the resolution passed.
On motion of Mr. Colby—

The Senate adjourned.

own of Manchester, in the county of Hillsborough.

THURSDAY, JUNE 8, 1843.

Joel Frazier, elected door-keeper, appeared and entered upon the duties of his office.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives are now ready to meet the Honorable Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution."

On motion of Mr. Smith-

Resolved, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elections.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representatives' Hall for the purpose of proceeding in the elections agreeably to the provisions of the Constitution—

Mr. Hoskins of the Senate, from the joint select committee appointed to compare and cast the votes for Governor and report to the Convention thereon, made the following

REPORT.

The committee appointed to receive the returns of votes for Governor and compare and cast their numbers, report that the whole number of votes legally and constitutionally returned is

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| For Anthony Colby, | 19 551 |
| For Henry Hubbard, | 23.050 |
| who is duly elected Governor of the Stat | te of New Hampshire for |
| he ensuing political year. | |

Your committee find no return of votes for Governor from the town of Manchester, in the county of Hillsborough.

Which report, on motion of Mr. Colby of the Senate, was accepted.

On motion of Mr. Hoskins of the Senate-

The Convention rose and the Senate returned to their chamber.

IN SENATE.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have appointed Messrs. Atwood of Hillsborough, Oliver, Peirce of Dover, Tilton of Sandbornton, Haley, Rowell, Glover, Huntoon, Crosby of Hanover and Drown, a committee, with such as the Honorable Senate may join, to wait on His Excellency the Governor elect and inform him of his election, and that the Legislature will be ready to receive any communication he may be pleased to make, in which they ask the concurrence of the Honorable Senate."

On motion of Mr. Pease-

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to notify the Governor of his election.

Ordered, That Messrs. Smith and Pease be joined to said

committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Warner, from the joint select committee appointed to inform His Excellency the Governor that a quorum of both Houses have assembled, are organized and ready to receive any communication which he may be pleased to make, reported that they had attended to that duty and are directed by His Excellency to acquaint the Legislature that he has no communication to make to that body until informed whether he is elected, and if elected, not until after his induction to office.

Mr. Smith, from the joint select committee appointed to wait upon His Excellency the Governor elect and inform him of his election to the office of Governor of the State of New Hampshire for the ensuing political year, and that the Legislature will be ready to receive any communication which he may be pleased to make, reported that they had attended to the duty assigned them, and that His Excellency was pleased to reply that he felt deeply grateful towards his fellow citizens for this renewed expression of their confidence reposed in him, and that he would meet the Legislature in the Representatives' chamber at half past eleven o'clock this forenoon, accept the office, take and subscribe the oaths prescribed by the Constitution, and then and there make a communication to the Legislature.

Which report was, on motion of Mr. Warner, accepted.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives are now ready to meet the Honorable Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution."

On motion of Mr. Warner-

Resolved, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elections.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention in the Representative's Hall, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution, Hon. Henry Hubbard, Governor elect, came in attended by the Honorable Council and the committees of both Houses, declared his acceptance of the office of Governor, and in the presence of both branches of the Legislature, took and subscribed the oath of allegiance and the oath of office; whereupon, Honorable Titus Brown, President of the Senate, declared His Excellency Henry Hubbard, Governor of the State of New Hampshire for the ensuing political year, and presented him with a copy of the Constitution of the State as a guide in the discharge of his official duties.

His Excellency then made the following

ADDRESS.

Fellow citizens of the Senate and of the House of Representatives:

Having now taken the oaths prescribed by our constitution, as preliminary to my entrance upon the discharge of the public duties of chief executive magistrate, to which office I have again been elected by the freemen of New Hampshire, I desire to make known to the people the deep sense of gratitude, I feel for this reiterated expression of their confidence.

The peculiar circumstances which have attended the re-

cent elections in this State, cannot fail to impress our minds that there is a much greater cause for joy, than that resulting from mere individual success. It is for the triumph of those great principles, which are as dear to freemen as liberty herself, that renders the result of the late election matter of deep and abiding gratulation to the friends of equal rights and of equal privileges.

On this interesting occasion, it is assuredly fit that we should render to the Author of every good the homage of grateful hearts for His paternal care over us for the past year, for His goodness in having sustained the diversified interests of this Commonwealth, and for securing to the people the unimpaired continuance of social, religious and civil liberty.

What an impressive illustration is here presented of the character of our free and happy government! We assemble at stated periods, as the representatives of an intelligent and patriotic people, to enact laws for their as well as for our own guidance. A great change in that representation annually occurs; around me I observe men whom I did not meet in this place at the commencement of the last political year: and many were then assembled here who did not belong to either branch of the government the year precedingaffording evidence of the truth of that saying, which lies at the foundation of all our institutions, "that political power emanates from the people"-that they are emphatically the true sovereigns of this free representative government that we are all here as their public servants, to carry out their will and to become the exponents of their opinions. It is this great and invaluable principle which makes the distinguishing feature in our government-the one which elevates it high and above all forms and political compacts which have hitherto been devised.

In my address to the Legislature at the commencement of the last political year, I recommended sundry alterations and amendments in the then existing statutes. I regarded them all as essentially connected with the true interests of the people. Notwithstanding the convictions impreased upon my own mind as to the importance of the changes then suggested, I shall not at this time call your attention to those subjects, as I do not intend to propose on the present occasion any special alterations in our system of laws. I shall commit the whole subject to your discrimination and good

judgment. If any amendments in our statutes are in your opinion necessary for the promotion of the public good, your own observation will readily suggest them. I prefer to leave the whole matter to your discretion, rather than to recommend particular changes.

Correct principles of legislation must always in a government founded upon law, be of engrossing interest to the representatives of the people. The first object of an intelligent community is to ascertain and establish the principles on which the government should be founded. In the written constitution of the various states of the Union and of the United States, the attempt is made with greater or less success to define with precision the general rights and duties which belong to individuals in their relation to each other, and to the public. That these attempts in the absence of experience should always be successful, was not to be expected by liberal and reflecting men. That timid reasoners, fearful even of improvement if it involved the necessity of a change, should sometimes mistake the form for the substance, must have been anticipated. That a prejudice should sometimes have been elevated into a principle, cherished with sacred care and embalmed in the chosen repositories of political truth, cannot surprise those who remember that it is with nations as it is with individuals; each must reach manhood before the crude notions of youth can be corrected. That superficial thinkers should adopt ill-digested plans upon partial and narrow views-that sanguine and intolerant men should strive to make the opinions of others assume the shape in which alone they could see truthwas less to be wondered at, than an unsettled state of society in which there should be neither shallowness nor intolerance. But the traces of the timid and the prejudiced, the superficial and the intolerant are not sufficient to destroy the harmony of a constitution formed by men sincerely anxious to attain to the knowledge of political truth. With all their defects the principles of our constitutions are expansive and comprehensive enough to admit of a legislation adapted to the daily increasing wants and refinements of civilized life, and to our keener appreciation of the true objects of all human society, the improvement of individuals in physical comfort and intellectual independence, and their progress in moral and religious attainments.

A constitutional theory admitted to be erroneous and upon which no legislation is ever founded, although it may injure the symmetry of the instrument as a work of art, may not lessen its value, on the whole, as a summary of political truth, and as each year, it is to be hoped, adds to our stock of political knowledge, we are less liable to confound accidental defects with principles of acknowledged truth. No wise constitution ever embodied in itself, as a principle to be acted upon, any intolerant theory of government, of religion or morals. No educated and thoughtful people ever acted upon any such theory, and no people whatever ever practised it without sooner or later becoming the victims of their own blindness. We learn to tolerate a theoretical defect in a constitution, as we learn to bear with the follies and vices of our race. And these mankind are beginning to perceive, can better be corrected by time and patience than expelled by violent remedies In legislation, experience teaches us that, except in extreme cases, it is better to pause, until the operation of a system can be understood, than, because we may think it theoretically wrong, suddenly to introduce another on which experience has thrown as little light.

Since the adjournment of the last session, the Revised Statutes of New Hampshire have been published and laid before the people. In the month of March last in pursuance of the duty imposed upon me by the resolution adopted at the last session of the Legislature, I made a careful examination of the manner in which the public printers of the State had performed their contract. The result of that investigation was that their duties had been scrupulously fulfilled. The volume is well bound and printed upon paper and with type fully equal to the terms of their agreement. The work is remarkably free from typographical errors. several instances errors and omissions in the copy furnished them by the Legislature, are noticed in the book in such a way as to draw your attention to them and enable you to legislate upon such particulars as may seem to require it.

The publication of the laws of the State in this revised form is undoubtedly a great improvement upon the former system. The cumbersome and ungrammatical phraseology of many of the statutes has been corrected. The involved and obscure meaning of many sections has been elicited and enunciated in distinct and intelligible propositions: provis-

ions upon the same subject, but separated from each other by wide intervals of years and pages, have been brought together and classified. Repealed statutes have been omitted and a general character of compactness and simplicity has been given to the whole. All persons of reflection and all those whose duty it is either to examine or expound the laws, can readily perceive that the labor and expense devoted to this object, have met with a satisfactory reward. It would be difficult to find two gentlemen who, in the very short period allowed them to complete so laborious a task, would have performed it so well and so thoroughly as Messrs. Bell and Fox, the commissioners appointed by my predecessor to perform that duty. That there are defects and omissions in the book as now published, which a longer time for examination would have enabled the Legislature to discover, and which would have been remedied by greater caution, is not improbable. It would be wonderful indeed, if from the haste and carelessness which have disfigured many of our statutes for the last fifty years, we had at once been awakened to the necessity of bestowing upon the enactment of the laws that patient care and studious diligence which are requisite to the perfection of every other intellectual effort. The improvement already made is a great and essential one and will undonbtedly be valuable both in its immediate and practical effects, and as an example. It is singular that, compared with other subjects of human interest, the business of careful legislation should have occupied so little of the attention of the community. It is not, surely, that the subject is one that requires but little intellectual effort. There is in truth no matter of temporal concern that requires so much. A good system of laws founded upon and in harmony with the principles of a free government, adapted to the wants of the people, comprehensive enough to embrace within its range all their essential rights and duties, but not sufficiently minute in its details to become oppressive in its operations, is one of the most difficult, as it is one of the rarest, achievements of human skill. The names of great lawgivers have been handed down to posterity as the greatest benefactors of mankind. Properly to perform this duty requires not only great abilities, a well disciplined mind and habits of accurate thought, but indefatigable perseverance, a clear perception of the object to

be attained, its consistency with the general plan and the invaluable power of close and patient attention. It would be unreasonable for us to repine at the absence of great jurists, for they are seldom found among mankind. But if the genius of a great lawgiver does not exist among us, we are still unpardonable, if we regard legislation as an irksome task which we may slight or evade without a violation of our official oaths. The more unpresuming virtues of industry, caution and investigation, it is to be hoped, still exist among us. There can be no sufficient excuse for hasty and careless legislation. We require of the advocate who manages our causes, the physician who prescribes for our diseases, of the architect who constructs our buildings, that each of them shall call into exercise his best efforts, and shall apply the principles of his art to the conduct of our busi-We expect them to consider the object to be attained, to perceive all the obstacles in the way of success, to view the subject in all its bearings and to take time enough to assure themselves that the best mode is adopted. No less, surely, ought to be required or expected of the legislator. The man who enunciates a proposition in mathematics, without considering the result to which his principle will lead him, or who promulgates a doctrine in morals, without reflecting on its operation upon the happiness of the community, we look upon as a pretender, and unworthy of our confidence. And certain it is that there can be no duty more responsible or more important, than that which we owe to those who sent us here-no interests more momentous than those confided to our keeping; and yet legislation is too often regarded not as a serious duty, involving the happiness of the community and calling for self denial, labor and forethought. Laws are too frequently passed without sufficient consideration, to answer a temporary purpose, and upon a partial view of the subject. When such laws go into operation, they are found to be defective, and their defects beget a necessity for the passage of other laws: these in their turn soon require amendment, until the system becomes a crude mass of contradictory provisions, almost defying analysis and discouraging the most faithful and diligent inquirer. Changes are then proposed in the laws to remedy existing defects, and alterations are from time to time made without fully accomplishing the purpose designed. Evils exist,

much time and money are squandered in litigation, until the public attention is aroused, and the people become convinced that a farther expenditure of time and money is necessary, to avoid the evils which should have been avoided in the beginning. Such was the conviction growing out of the state and condition of our system of laws, as it existed anterior to the late revision. The interests and the happiness of the people demanded a revision of our public statutes. The work has been done, existing evils have been remedied, a system has been arranged, with a precision, order and method required by the wants of the people.

It should be our end and aim, and the end and aim of those who come after us, not to mar this system by hasty legislation—if defects shall hereafter be discovered, to provide for such defects in that plain, direct and intelligible manner,

as will add beauty and strength to the work.

But after all that has been done-after all the evils have been remedied so far as human skill will avail-certain it is that litigation will arise. It is idle to suppose that, under the Revised Statutes or under any system of laws which the wisdom of man ever devised, litigation will cease or will ever be essentially diminished. We are no better than those who have gone before us-have the same frailties as those of olden time; the same passions and prejudices, the same ambition and selfishness, that characterized the chosen people for whom, thousands of years ago, the Almighty dictated a code of civil government, imposing penalties for their offences and regulating their controversies. The passions which, five hundred years since, placed men in battle array against each other, now find vent in the peaceful arena of a court of justice; and judges and jurors in their respective provinces, pass upon questions and determine rights which were once adjudicated by the sword. Men are made of the same clay and are agitated by the same passions as of old. Christianity, however, and a more accurate view of the objects of human society have taught us that reason and law are the best safeguards of human happiness. Litigation will exist so long as men are the creatures of impulse, so long as craft and cunning turn us away from the right path, or pride and obstinacy render us callous to our sense of duty. The imperceptible but sure changes that are constantly going on in manners, in notions of government and in the appreciation of our rights, afford food for discussion, which too frequently terminates in litigation. And when we consider that no one case in all its particulars can ever afford an exact precedent for another, and that in the infinite variety of human circumstances no case was ever exactly like another, we cease to wonder that men plunge into controversies. The utmost that legislation can do, is to adopt a system of general rules, within which all probable cases may be included, in order that, if there must be litigation, the parties may reach the actual merits of their disputes, without wasting their strength in vain endeavors to ascertain the meaning of the lawgivers, and to obtain a ju-

dicial construction of their acts.

I have thus alluded to the defects in our legislation, because I think they are evils common to and increasing in every part of America. The fatal facility of making laws in the thirty legislative assemblies of the United States, has caused an accumulation of statutes embarrassing to the courts and to the bar, and injurious to the people; and the ease with which public laws are passed in our own State. should not fail to excite a spirit of great vigilance and caution. In a single hour an important act may go through all the forms of legislation and become the law of the land, at the time believed to be harmless in its provisions, called for by the interests of the State, and tending in no respect to the injury of individuals. Yet, a short experience affords proof that this legislation was uncalled for, was unwise. and in its effects prejudicial to the interests of the State and disastrous to the rights of the citizen. It has occurred to me from the best reflections which I have been able to give to the subject, that no public act passed at one session of the Legislature should take effect until thirty days at least after the commencement of the next succeeding session, and that the same limitation should be imposed upon all private acts, which can by possibility either affect the interests of the State or of individuals. Such a provision would take away. in all probability, the practical evils ordinarily resulting from hasty legislation. It is an undeniable fact that the frequency of change in our public laws is an evil, and if such evils occur, they should be commented on plainly and decidedly. I speak decidedly, because I feel deeply the importance of the subject. I speak with a confidence that my remarks will

be taken in the same spirit which actuates me in making them, and with an earnest hope that the representatives of so orderly, so industrious and so religious a people as the citizens of New Hampshire, will hereafter be ambitious not to increase the number of the laws, but with patience and forbearance to ascertain the positive defects in the existing legislation, and then to apply such correctives as the nature of the case may require. Having so recently given to the public our system of statute law, it is but the part of wisdom to suffer it to remain unchanged, until experience shall suggest defects which the condition of society, the wants of the people and a regard to their true interests require should be remedied.

Our primary schools richly deserve at all times the patronage and encouragement of the legislature. Our government is based upon the virtue of the people: that virtue is best preserved as knowledge shall be most diffused. As the means of education, the nurseries of pure morals and the sources of undefiled religion, these primary institutions of our country have within the last twelve months excited much of the public attention. A new impulse has been given to the public mind, and a new spirit has been awakened to the importance of our common schools for the spread of morality and religion, for the diffusion of intelligence among the people and for the preservation of our republican institutions.

Those patriots who framed the constitution of our State. incorporated into that instrument a sentiment worthy of themseves, that knowledge and learning generally diffused through a community were essential to the preservation of a free government, and that it was the bounden duty of legislators and magistrates to cherish the interests of all seminaries and public schools. This injunction of our political fathers should never be forgotten or disregarded by the friends of popular liberty. In my first address to the legislature I alluded to the republican character of our free school system. I then remarked that in those institutions are imparted to the youth of our State that love of civil and religious liberty, that high devotion to the cause of human rights, which lead to the unfailing exertion of their energies and of their efforts for the security of individual and public freedom. The constitution of our primary schools points

them out as especially meriting public confidence and pub-The scholars in these seminaries must be on terms of strict equality, and mingle together exclusively for instruction. The children of the poor as well as of the rich-those emanating from the laboring classes, as well as those from the independent portions of our community-enjoy the same rights and the same privileges: they commence their course of study-enter upon the acquisition of knowledge, under like influences and with like hopes. Our primary schools may well be denominated public institu-They are sustained at the public charge, are dedicated to the use of all the youth of certain ages within the limits of our State, and a direct benefit is periodically realized by the education of the sons and daughters of our republic. Our free school system may be considered as the heart of the body politic, and the streams which are continually flowing from it, give health, vigor and strength to all

the members of our community.

It has been matter of complaint that our common schools were not receiving that encouragement from the hands of the Legislature, which they ought to receive. Academies and high schools, it is said, have been multiplied in our land to the neglect of those primary institutions which should be our pride and boast, and which should receive, as they merit, our constant care and support. Far be it from me to say any thing which might tend to discourage that public and benevolent spirit, manifested in providing for the thorough education of any portion of our community. the effect of multiplying other literary and scientific institutions be to break down our common schools, to change their character and impair their usefulness, the friends of a general diffusion of knowledge and learning would regret the tendency of any course to produce any such effect. There is, however, within the power of the Legislature at all times a perfect remedy for any such evil. Elevate the character of our primary schools. Place within the reach of the most depressed son of poverty within our State, the means of obtaining a thorough English education, through the influence of these free seminaries of learning. Let there be such a division, (whenever practicable,) of the youth, that the younger scholars may constitute an exclusive class to receive such instruction as they would require: and let the scholars more advanced in attainments, be placed under the exclusive guidance and instruction of those well qualified to

teach the higher branches of an English education.

It is a reproach to our free school system that the higher branches of mathematics, philosophy and political economy can only be acquired at our academies and high schools. This should not so be. An invidious feeling is thereby engendered among the youth of our State, and one of the great objects of our free primary schools is defeated, and that is the opportunity of giving to the poorer classes of our community as thorough an English education, as can be attained elsewhere; and thus fitting them to perform the duties which may devolve upon them as citizens of this republic.

I do not design to recommend any alterations in our present militia system. It has received its present modification after having been carefully and recently revised by the immediate representatives of the people. I would therefore confidently trust that no amendments will be attempted in our militia laws, until experience shall suggest the necessity of further change. Far better is it to bear some practical inconveniences than to subject the system to frequent alterations. No man can entertain a more exalted opinion of the value of a well regulated militia for the preservation of our institutions and for the protection of the rights of the citizen, than myself. No man, looking to the honor of this free country, the continuance of this free government the happiness of this free people, could more deeply lament than myself the existence at any time of a sentiment . or feeling opposed to the respectability and usefulness of

our militia.

In connexion with our primary schools, the institution of our militia alike deserves the protecting care of the State government. The minds of men may be enlightened; the value of political and social virtue may be realized; the genius of our liberal institutions may be well understood; and laws may be passed with all the sanctions which the wisdom of man can devise; yet all these would avail but little, without the influence of a citizen soldiery; without that moral force, that physical "corps de reserve," designed for the ultimate security and defence of the just rights, the equal privileges, the constitutional liberty of the people. These opinions are given as the result of much

reflection. They are presented to you as my sober convictions. And I cannot but hope that they will find a hearty and concurrent response from those to whom they are addressed, and that at no future period of our history will any representative body of the people be assembled without feeling the force of the sentiment, that for the due preservation of the liberties and the rights of the people, and for the security of our free government, it becomes their bounden duty to do all that can be done, to maintain the character and to promote the usefulness and efficiency of our free school and

of our free militia systems.

From communications which have been made to me, I learn that the Asylum for the Insane has been in readiness for the reception of patients for the last seven months; that about seventy within that period have been received at the institution, twenty of whom have been returned to their friends, having been partially or perfectly restored to the exercise of their right reason; and that nearly fifty are, at this time, under the charge of the superintendent. worthy of remark that the Asylum for the Insane in its erection and in its subsequent management has been conducted with great judgment and economy, and although such institutions are inavoidably subject, at the commencement of their operations, to severer charges than are ordinarily incurred afterwards within the same period of time; yet it is believed that the means within the control of the Asylum will enable it to meet its ordinary expenditures for the coming year. The buildings and the grounds belonging to this institution, its location and superintendency, cannot fail to recommend it to the public as a most desirable retreat and residence for those unhappy fellow beings who, for a time, may have been deprived of that unerring light given us by the God of nature for our guide and direction. The Asylum will, I trust, continue to command and receive in its behalf the sympathies and efforts of the friends of humanity here and elsewhere.

Since the adjournment of the last Legislature, I have received a communication upon the subject of the geological survey of this State. No doubt a further report of much interest will be submitted by the State Geologist before the close of this session, and as soon as received, it shall be transmitted for your information.

Under the authority given to the State Treasurer by the resolution of the last legislature to borrow thirty-five thousand dollars for the use and upon the credit of the State, he has been enabled to supply the trsasury with means, (derived from our own citizens and institutions,) sufficient to meet all demands which have hitherto been made upon him. feel warranted in stating that he will be able to command, under the same resolution, funds sufficient to meet the expenditures of the State for the ensuing half year, and that from the tax payable into the treasury in December next, he will be supplied with the means of extinguishing the entire debt of the State for money borrowed, and have a balance in the Treasury, applicable to the wants of the government at the commencement of the next political year. of New Hampshire has much cause for congratulation for her resources, her credit and for her freedom from pecuniary embarrassment.

Within a short time past the Executive Branch of the government has made a full and careful examination into the receipts and expenditures for the past year, and into the present condition, of our State Prison, and also into the

health, habits and conduct of the prisoners.

The income of the Prison, according to the statement of the Warden, during the year ending the 30th of April, 1843, has been as follows:

| Net re | ceipts fro | m Cabinet shop, | \$2564.33 |
|------------|------------|----------------------------------|--|
| " | c: | Shoe shop, | 1653.33 |
| S 10 this | belongin | Smith shop, | 2805.35 |
| of line to | nneo, | Profit and loss, | 142.98 |
| Makin | of odw | e jihlir . Islow being | \$7165.99 |
| TAT: Line | be come | period there has been dis | bursed: |
| Within t | ne same | period there has been dis | \$3392.68 |
| Expen | ses, cc., | | 2231.75 |
| Provis | ions, ac | ing, &c., | 435.98 |
| Clothi | ng, bede | ing, &c., | 70.03 |
| Repair | is and if | nprovements, | 228 64 |
| Steam | Engine, | 13.70 Line and house in the last | 68.55 |
| | | | The second secon |
| | | builtied by the Fine Ger | DOTAL.00 |
| Cirring | r a halar | ace of profit of | \$738.36 |
| MINIM | 3 a Dalai | ice of profit of | MUOAO AN |

Cash receipts within the year have been \$8848.00

the people.

The number of convicts in confinement at the time of the examination was ninety-nine. The health of the prisoners has been generally good. There has not been a death among the inmates at this institution for nearly two and a half years, a circumstance, taking into consideration the number, unparallelled in the history of state prisons, and clearly proving the beneficial effects of regular exercise. rest and diet. The New Hampshire State Prison is at this time, in our opinion, in a better condition than it has been for many years past, and in point of discipline second to none in this country. The resources of the prison are amply sufficient for its support, and no aid from the treasury will be necessary for the coming year. It occurred to the Executive that no alteration in the employment of the prisoners could be advantageously made. The convicts are mostly employed either in the smith, shoe or cabinet shops. The contract for the service of the prisoners in the smith shop secures to the State for each one forty cents per day: in the other shops a little less is realized; and it is supposed that a less favorable contract will have to be made for the future employment of those who may labor in the smith shop. It is, however, a matter of fact that the prisoners are and may continue to be supported, with good and wholesome food, at the rate of seven cents per day for each; and unless there should be a material falling off in the subsequent receipts at the penitentiary, a sufficient sum will be realized to meet the annual expenditures of the institution, including the salary of the Warden; and the accounts hereafter to be submitted by that officer will, by direction, contain a charge

for the payment of his own salary, instead of receiving it direct from the treasury as has been heretofore practised. The Executive could not fail to admire the good order, the neat and cleanly appearance of the several apartments of the prison. All seemed to have been done by the Warden and those under him, which could have been done for the health and comfort of those under their charge. And they learned with equal satisfaction that the convicts were constant in their attendance upon the religious services of the Sabbath, and conducted and demeaned themselves with propriety on all such occasions.

In pursuance of the statute of the last session, two Justices of the Circuit Court of Common Pleas were appointed and commissioned; and from the experience which has already been enjoyed, there can be no doubt that this alteration in our judicial system will prove most salutary, enabling the respective courts of common pleas to transact the Business falling within their jurisdiction without unreasonable delay, and of consequence, with economy to the public as well as to the parties litigant, and affording also to the Judges of our Superior Court all the time and opportunity necessary for that prompt performance of their appropriate duties guarantied by our constitution.

In accordance with the request of the last Legislature, I transmitted to the governors of the several States copies of the resolutions upon the subject of postage and the franking privilege, and to the governors of the New England States copies of the resolutions upon the subject of banking and the circulation as money of small bills of a less denomination than five dollars. Whatever communications shall be received in reply, shall be immediately transmitted for your information.

I also sent to each of our representatives and senators in Congress copies of the resolutions of our last legislature, upon the important subjects of the tariff, the bankrupt and distribution acts of the last Congress.

I cannot permit this opportunity to pass without an expression of my full and perfect concurrence in opinion with those expressed by the last Legislature in the resolutions to which I have referred. Nor can I permit the occasion to pass without bearing testimony to the propriety and fitness of such legislative proceedings.

New Hampshire is a member of this great confederacy of states. And the patriotism, the intelligence, the self respect, the stern and inflexible principles of her people would never tolerate any disinclination in their representatives to speak forth, on all proper occasions, their views on all matters of public policy. Integrity, vigilance, fearlessness belong to the patriot, and that man can be but little acquainted with the character of our citizens, who would deny to them the possession of those qualities in a most

pre-eminent degree. od add tijoba blueda

It is your high privilege to declare your opinions of the measures of those charged with the administration of our national affairs. A declaration of your views, as the representatives of an independent member of this union, is not only a matter of right, but may be a matter of duty. As an integral part of the republic, New Hampshire cannot be indifferent to the acts of Congress. Their operation is either for good or for evil upon her citizens. And the character of all national measures should be well examined, and either approved or condemned by the intelligence and patriotism of the country. If any infraction has been committed by our public servants upon the constitution of this republic, we should not be silent. A frank avowal of the opinions of the constituted authorities of any one member of the confedercy, in relation to any national measure, may induce an entire change or such a modification as would render the measure acceptable to the people. This is the way open at all times to reach the ear of Congress and thus prevent the long continuance of unconstitutional and oppressive acts of national legislation. Any administration of our public affairs, which shall by its measures act in disregard of the best interest of the country, forfeits all claim to public respect, and cannot and should not command public confidence. Our motto should be, "everything for principle, nothing for men." "It would be a dangerous delusion, were a confidence in the men of our choice to silence our fears for the safety of our rights. That confidence is everywhere the parent of despotism. True government is founded in jealousy, not in confidence. It is jealousy, not confidence, which prescribes printed constitutions, to bind down those whom we are obliged to trust. with power."d and of accompange flams of read blue

It may not be unprofitable or considered out of place for me in this public address, to portray some of the effects of the existing restrictive tariff upon the great body of the consumers of the importations of the country. "For it is believed that the system would not last beyond a single Congress, if the people understood precisely how it operates upon them." And yet, within the lim-

its of this address, I can only in very general terms refer to the measure in its consequences: even this may be sufficient to awaken such a spirit of inquiry as will lead the people to rid the country of a measure so oppressive to their prosperity and so prejudicial to their happiness. There is no subject exclusively within the jurisdiction of Congress of more interest to us, than that of raising a revenue. As the expenses of the national government must be defrayed by the people of the union, it is important to each one of us, that Congress should adopt the best mode of attaining this object. But names have still so much more influence over us than things, that the system of direct taxation necessarily adopted in the different States to defray State expenses, has never found favor when it has been proposed to apply it to raise the national revenue. And abundant as have been the errors to be found in the history of human legislation, they have probably been more numerous on this subject than on any other. Taking it for granted, for the present at least, that it is more acceptable to the people, that a revenue should be raised by a system of duties than by direct taxation, the principle to be applied seems to be an intelligible one. It is that the duty should be imposed upon such articles and in such a way, as will cause the least expense to the consumers. It is necessary, of course, that duties should be imposed on articles, the consumption of which would be sufficient to enable a revenue to be raised from them. And when the duty is imposed on such articles and such alone, as will yield a sufficient revenue with the least injury to the people, and with the honest intention alone of raising a revenue, the fact that certain articles of home manufacture increase in price to the benefit of those citizens who are employed in producing them, as it would be a necessary consequence of the duties, so it would not be a cause of complaint. But when the legitimate purpose of a tariff is lost sight of in the eagerness to raise the profits of home manufactures to the owners of them, and when by the imposition of unnecessary or injudicious duties upon foreign articles, not only their price is raised, but the home manufactures are made equally expensive to the consumer, the common sense of the people revolts; and they begin to murmur that the actual receipts into the treasury should bear so small a proportion to the burdens which they are made to sustain, in consequence of a complicated and unwieldy system of duties.

It appears from a statement furnished by the Treasury department, that the average amount of duties on dutiable articles imported during the last quarter of 1842, is a little more than 35 per cent. on their ad valorem value, and at that rate an importa-

tion of forty millions of dollars of dutiable articles, during the year 1843, must produce a gross revenue of fourteen millions of dollars, which will yield a net revenue of nearly thirteen millions of dollars; one million out of fourteen being the custom house expenses of collection. It has been demonstrated by one of the best thinkers and writers of the country that, including the custom house expenses, the cost to the people of collecting a tariff tax is not far from 45 per cent. upon the amount which actually goes into the treasury. This burden is inevitable thrown upon the consumers of dutiable articles, and this, where the tariff is purely for revenue. It matters not to what class of the community the consumer belongs. He who consumes a single article embraced in the tariff, pays a portion of the tax and of the cost of collection. If the fourteen millions of dollars of revenue was derived exclusively from duties imposed upon articles, similar in kind to those which are manufactured in our own country, the products of our own labor, the unavoidable tax to the consumer would be nearly doubled. There is in fact no mystery in the opertion of a tariff upon home manufactures, although the enormous burdens with which the people are laden in consequence of a tariff for protection, have either been kept out of sight or overlooked. The actual cost to the people of a tariff for protection may be shown in a very few words. And I will endeavor to illustrate it by some brief but familiar references and statements. If we take the importation of salt for the year 1840, the oppressive effect of this protective policy will be seen. In that year we imported into this country over eight millions of bushels and manufactured over six millions. The duty was eight cents on a bushel of 56 pounds, when it is known that the average cost abroad does not exceed eight cents per bushel. The gross revenue accruing from the amount of the importation of salt for the year 1840, a little exceeding six hundred and fifty thousand dol-The price of the six millions of bushels manufactured in this country, would be increased to the amount of the duty imposed upon the foreign article, together with all the costs and charges of collection. The inevitable effect must have been to have subjected the consumer of this article, so valuable and of such general and indispensable use, to more than one hundred and thirtythree per cent. on the salt consumed, in order to afford protection to a few hundred salt manufacturers. The same principle applies to every article which is made subject to duty, and where a like article is the product of our own manufactures. The operation of the tariff upon all such classes of articles must be to raise the price of the domestic, so as to correspond with the price of foreign article, and in this way to give protection to the sugar planter, the salt maker, the iron master, and the cloth manufacturer, at the cost and charge of the farmers, mechanics and all the other

consumers of the country.

"The precise amount of home manufactures purchased by our people, corresponding in character with those subject to duty imported from other countries, may be estimated at least equal to the imports, or at their natural price, worth per annum \$40,000,000. As the price of the imports is increased 35 per cent. by the tariff, so the price of similar articles manufactured at home will be increased 35 per cent., which upon \$40,000,000 gives \$14,000,-000, equal to the entire gross revenue." We can, from these facts, form a fair estimate how much the American people pay to get \$13,000,000 of net revenue into the treasury. This will appear from the following exhibit : nort ylaviauloxa barrieb savi aum

Custom house expenses, when are donner Cost of collecting the revenue tariff tax, indepen- bong out you dent of the custom house charges, comprising now remusence importers, merchants and dealers' profits, &c., and recommended and and analysis of the comments and dealers' profits, &c., estimated at 33 1-3 per cent. And dollar distributions The protective tariff tax, if the revenue is derived from duties on articles, when like articles are manufactured in our own country, 14,000,000 The cost, &c. of collecting the protective tariff tax would be a may ad solution to got required 4,666,666 Add the net revenue, of flow rollog avisosions and 13,000,000

\$37,333,332

"Thus it appears that out of \$37,333,332, paid by the people under the existing system, only \$13,000,000 gets into the treasury. Of the balance over \$14,000,000 is money transferred by legislative legerdemain from the pockets of the consumers to the pockets of the manufacturers. Four millions and two thirds is the cost of this operation, while four millions and two thirds is the cost of collecting the revenue tariff tax, and one million the custom house expenses." Could any system of revenue be more unjust, more expensive, more iniquitous?

"Agrarianism takes the property of the rich and divides it among the poor. This system is worse. This takes the property of

the poor and gives it to the rich."

Now it would be unreasonable to complain of this sum, enormous as it is, provided the duties were judiciously imposed, if a system of indirect taxation is adhered to. But when we consider the indirect cost to the consumers consequent upon a tariff for protection, it may well be a matter of wonder and grief that we have profited so little by half a century of self government. It is evident that a system leading to such results, is radically wrong. It is our duty, as liberal and enlightened men, to pay whatever is necessary for the national defence, for the expenses of government and for the support of justice and the laws, without requiring any other return than the blessings of civilized society. But all expenses unnecessary for these great objects, are unauthorized by the theory of our constitution and at variance with the simplicity of a republic. I can add no more on this subject: the remedy is with the people. Sure I am that a government emanating from and sustained by them, and yielding in theory a greater security to human rights, will not in practice be found to impose a greater burden for its pretended support, than any other which

has ever yet been devised by the wit of man.

If corruption is abroad in the land; if it has found its way into our national councils; if our public servants are faithless to the constitution and to the cause of equal justice; you are bound to do what you can to ferret out the wrong. Even a voice from this Legislature may stay the progress of a measure charged with all manner of evil. We have heretofore felt ourselves called upon while in the way of our duty, to denounce the act of Congress providing for the distribution of the avails of the public lands, not only as an open and flagrant violation of the constitution, but also as a measure fraught with most mischievous effects, subversive of the independence of the States and debasing to the patriotism of the people: and much to the honor of the country, the evil of that demoralizing act of Congress has been checked by the force of public sentiment. Our efforts may have contributed in producing so glorious a result. We felt it to be no less our duty to assail another act of the same Congress, as degrading to the moral sense of the whole country and destructive to the interests of the American people: and I am happy to say that this measure is no longer suffered to debase our character by occupying a place among our public statutes. I was opposed to districting our territory for the election of our representatives, and I could not permit an act of the same Congress to go into effect, giving to the states their mandate for the accomplishment of such a purpose, without protesting against the constitutional power of Congress to exercise any such authority, and without urging upon the Legislature to resist every such encroachment upon their rights. We have reason to believe that this act also will in practice be wholly inoperative. Vigilance, fidelity and perseverance will alone secure to the natural man the protection of his personal and political

liberty.

The events of the last year have forcibly impressed the public mind that the sovereign power of this free country will control her destiny-that no administration of our general government, possessing all the adventitious advantages of powerful majorities in every branch, can conduct the public affairs for any length of time in disregard to the interests of the people. They will speak forth in such authoritative tones that the weakness or the wickedness of any man or any set of men, will quail under the influence of such a power. A recurrence to the past history of the present administration of our national government, furnishes confirmation of the direct influence of popular opinion. In the plenitude of their power, they passed the mad scheme of abstracting from the national treasury a portion of the national revenue and giving it to the states. The controlling influence of public sentiment has compelled these same servants to count this measure as among the things that are not. They passed also a bankrupt law, and the voice of the people has repealed it. The legislative branches in like manner passed the most odious of all odious projects, the establishment of another national bank, and the strong force of popular feeling vetoed this measure. I have adverted to these events to remind you that, as vigilant watchmen, you have something more to do than to provide for the wants of your immediate constituents-that it is the bounden duty of all of us composing the representative body of the people, to watch with constant vigilance and solicitude those connected with the administration of our public affairs-to expose to the intelligence of the American people, every act impairing the force of our political compact or infringing the great principle of exact justice and equal protection.

No state in this Union contributed more, in proportion to her numbers and to her means, in aid of the establishment of the independence and government of the country, than the State we have the satisfaction of inhabiting. And no state will bear more and struggle longer to preserve that independence unabated and that government unimpaired, than New Hampshire. I would here reiterate a sentiment formerly expressed by me, that if the liberties of this country shall at any future period of her history be lost, that loss will be traced to the unwarrantable legislation of Congress; to the exercise of powers on their part not delegated

by the constitution.

It is deeply to be regretted that "the mania for state banking and the mad career of internal improvements," have involved any

of the states of this great confederacy in an indebtedness so embarrassing, if not so oppressive, as to render them unable to meet their engagements with promptness and punctuality. I cannot concur in the sentiment which has been expressed by some in authority, that a failure of one state to redeem its own liabilities, impugns the character and credit of the other states of this union. I cannot recommend, as has been done by others, the passage of resolutions expressive of the strong interest which this State feels in the full redemption of every pledge given by other states, of its public faith and of our utter detestation of the "abominable doctrine of repudiation" as applicable to independent and sovereign states. I merely wish to be understood as saying that in my opinion the State of New Hampshire, in her political capacity, is not called upon to condemn or to approve the course which any of the states of the union has taken in relation to her own liabilities. In my judgment this State has no concern with the affairs of those states which may be involved in debt. With just as much propriety and fitness can this Legislature cast censure upon individuals for their failure to perform their contracts, as to adopt a resolution condemnatory of the conduct of those states which have for any cause neglected to redeem their plighted faith. That is a matter which can in the one case only affect the individual, and in the other, the state. It would seem to me to be equally as appropriate and as justifiable for this State to inquire into any other matter, connected with the internal policy of any member of the union, as to investigate the causes of her indebtedness or the still more odious office, the causes of her delinquency.

New Hampshire, with but few other states, remains unembarrassed with debt, and can it become us to prescribe any lessons in morals to those who may be differently situated? Does it become us to hold forth to them the danger of repudiation, and the all importance of a prompt redemption of every pledge of public faith? Does it become us to declare that the practice of the one is an outrage on "public honor," and a failure to observe the other is dangerous to "public liberty?" Does it become us to say what these indebted states must do? I think not. It is a matter which exclusively concerns themselves. The states unembarrassed with debt, should be cautious how they interfere with

the affairs of those oppressed by outstanding liabilities.

No attentive looker-on who has watched the course of events for the last twelve months in and out of Congress, can have failed to have come to the conclusion that there is a mighty effort abroad in the land to induce the Congress of the United States, at no distant day, to provide for the assumption by the general government of the entire indebtedness of the states. Such a measure has been openly avowed and advocated on the floor of the House of Representatives in Congress, and such a project, if any reliance can be placed upon the signs of the times, has found favor within the Senate of the United States; and such a movement finds encouragement in the action of legislative assemblies, holding out the idea that American credit is unfavorably affected by the conduct of a single individual state in neglecting to meet its liabilities; holding out farther the all importance of preserving that American credit from being tarnished by such acts, and thus encouraging those who are presumed to represent in Congress the virtue as well as the intelligence of the country, no longer to suffer this stain to rest upon our national escutcheon, but to go forth to the work at

once and to take upon ourselves these state liabilities.

Fellow citizens—This is no picture of the imagination. The exhibit is drawn from clear, direct and undeniable facts. When, the much lamented senator from Tennessee, who is now no more, presented the report of the committee upon this same subject to the United States Senate, his doctrines founded, as they were, in the deepest wisdom and in the purest patriotism, were condemned by the friends of the present administration, then members of that body, as wholly uncalled for; as strange; as tending to impair state credit: and it was said over and over again by grave senators, that the idea of an assumption of the state debts by the general government, if not ridiculous, could not have been seriously entertained by any American statesman. Was this the fact? The occurrences of the few past months cannot fail to have satisfied every man that the avoidance of all action of those friends of this administration, upon the resolutions of that distinguished senator, must have been induced by a deep and controlling conviction that such a measure might become expedient, and that the safer way would be not to declare openly against its unconstitutionality or its impolicy, but to leave the whole matter to be regulated as time and circumstances should seem to require. Is there a friend of his country within the reach of my voice, who can doubt that this scheme fraught as it is with the most dreadful and dangerous evils to the harmony and union of the republicto the peace and prosperity of the people-is seriously contemplated by some of the public men of our country? Certain the fact is so; and it becomes us, the representatives of freemen jealous of power and tenacious of their rights, to meet this project at the threshhold-fearlessly and frankly to declare the honest convictions of our minds touching this subject-to induce, if posSible, by our bold and energetic action, the representatives in Congress to prevent the adoption of a measure, more calculated than any other to rend asunder the ties which bind together this great confederacy. In behalf of the independent and patriotic state you represent, you are called upon to put forth your sentiments upon this subject, and to stay, if practicable, the onward progress of this plan matured and well considered as it has been; and thus preserve the justice and honor of this nation—the peace, the con-

fidence, the hopes of the American people.

At the commencement of each political year, it has been a custom coeval with the existence of our government, for the Executive to make a communication to the legislative branches, in relation to matters of general and local policy. And on such occasions it becomes his duty to re-examine the positions which he may have previously assumed; to take a retrospect of the ground which he may have occupied, and with honesty and fearlessness to point out all errors, if any, either in principle or in practice, which may have occurred to his mind. All such communications would lose their value and would become little entitled to the confidence of the people, should they be found pertinaciously to reiterate sentiments which reflection and experience have condemned. If mere pride of opinion could induce a public servant holding the honorable and responsible office which I now fill, to compromise his own integrity, so far as to make a public and official declaration of views repugnant to the deliberate convictions of his own mind, he would deserve and assuredly receive the contempt of his mas-The people are not slow to discover whatever tends to endanger their peace, to embarrass their rights, or to prejudice their interests; and if these tendencies have proceeded from the adoption of measures recommended by their Executive, they will not fail to apply the remedy always within their control.

In presenting this address, I have been induced to examine the opinions promulgated in my former communications to the Legislature. I have been induced to do this for the reason that those opinions have been assailed, and the principles advanced have been directly condemned by men who once occupied responsible stations in this government, and long enjoyed the respect and confidence of their fellow citizens. And I cannot consistently with that uprightness and integrity which I hope ever to maintain, say to you that on either of the occasions when I have found it to be my official duty to address the Legislature, have I given utterance to sentiments which are not now approved by my best judgment. Under the high responsibilities of my official station, I have not hesitated to present to the people of this State my views touching

a species of legislation, which had so extended itself as to have involved rights and interests, sacredly protected by the supreme law of the land. The too frequent granting of acts of incorporation to individuals for private purposes, and the consequent invasion of private property for the accomplishment of those purposes, had produced no ordinary excitement. The relative and absolute rights, duties and powers of private corporations and of individuals were subjects of engrossing thought. My own sentiments had been freely expressed upon these matters long before I was elevated to this office. This subject has lost none of its importance and none of its interest with the people. And I propose to submit at this time some additional reflections. I have no other object to attain but to carry out the great design in the constitution of free political communities-to protect the weak from the encroachments of the strong; to defend the impotent from the influence of power, and to sustain the whole people in

the enjoyment of their liberty and equality.

Titles to property are acquired in this State either by purchase or by descent. The mode of transferring estates is prescribed by legal enactments, passed in conformity to the provisions of our constitution. To the owner is given, under our laws, the rightful control of all property to which he may be entitled. In no possible way can he be divested of that control without his consent, except when public necessity shall interpose. Whenever a case shall occur, that for the public use the private property of individuals must be surrendered, then such a surrender will be sustained, not only by the language of the constitution itself, but by the nature and fitness of things. The very existence of political communities renders indispensable the exercise of such a power, and such a power being vested in the Legislature, may by them be delegated by law, and in this way only can private property be taken and appropriated, without the owner's consent. We hold our estates subject to the demands of the public for their exclusive use. We hold them above and beyond the control of others. The property of an individual, in pursuance of the provisions of law, may be taken and appropriated for the debts of that individual. It is merely applying personal means to meet personal liabilities.

But it would be regarded as abhorrent to every principle of common justice and opposed to every principle of constitutional law, to contend that the property of one individual could be seized and applied for the satisfaction of the debts of another; and yet there is not the slightest difference, in principle, in giving authority to take the property of an individual, without

his consent, to pay the debts of his neighbor, or to take that property and give to that same neighbor to promote his convenience or to increase his substance. It is nothing more and nothing less than taking individual property, against the will of its owner, for private use. I cannot fail, without a violation of the oath, I have just taken to support the constitution, to carry out in practice what I have not hesitated to advance in theory—that the surrender of private property, without consent, except for public use, cannot be required. This great principle is coexistent with our government. The sober sense of our community can never be confounded with the unmeaning jargon that public use is attained by private accommodation and the protection of private interests. The true difference between public and private use could not be more perfectly illustrated, than by contrasting our highways constructed by public means, sustained at public charge and exclusively dedicated to public benefit, with those constructed by private appropriations, preserved by private expenditures and dedicated to private interest. The one class is exclusively within the control of the public; the other is as exclusively within the control of individuals. The one is a public, the other a private con-

The acquisition, possession and protection of property is one of the essential and inherent rights of man, and on entering into a state of society he must surrender, to some extent, this natural right to that society, in order to insure the protection of others. For the construction of our public highways, private property of necessity must be taken and thus appropriated, even without the consent of the owner, if a just compensation shall be made. Legislatures can provide for the construction of all such ways. The power is expressly conferred by our own constitution, and confirmed by that of the United States. But no such principle can be made applicable to private ways, constructed by individuals or by artificial persons for private purposes. Estates are not held here by so uncertain a tenure. Property cannot be put away from the control of its owner, against his will, when required for purposes of individual speculation, when wanted to accomplish private ends, or when necessary to advance private interests .-Such objects can only be attained by negotiation and contract. Mind must meet mind, when the possessions of one may be needed to carry out the operations of another. A contrary doctrine would place the estates of men beyond the control of their owners-give to wealth the power of applying the means of others to the accomplishment of its own ends; of converting the soil of the husbandmen, without his consent, into canals and railroads,

and of thus subjecting the homes of the poor to the claims of the rich. The exercise of any such power would be wholly unwarranted by and opposed to the very first principles of our government. There is no compromising, no giving up of this principle. If the views expressed are right and constitutional, then the principle will be maintained unimpaired, so long as our institutions shall continue. The Legislature can in no instance delegate a power which they do not enjoy. It cannot rightfully presume to exercise an authority over the private property of the citizen, which is not warranted by the terms of the constitution. It would be most dangerous and alarming to enlarge the express grants of power by construction, or control them by considerations of expediency. I have before said, if such a power exists in the representative body of the people to give authority to appropriate the property of individuals, without their consent, to the use of private corporations, equally constitutional would it be to confer the same power for the use of the corporators. There is not a shadow of difference in principle. Nor does the constitutional exercise of such a power, for private purposes, depend on the degree of public use. The abstract power, if possessed, might with as much propriety be conferred upon the owner of a waterfall, to construct a dam and flow the lands above, in order to erect a mill demanded by the convenience of a neighborhood, as to construct a railroad for the accommodation of other portions of the community. There is no half-way house, no middle ground. The first section of the act contained in chapter 142 of the Revised Statutes, passed before I came into office and approved by my immediate predecessor, contains a provision worthy of the head and heart of the representative body of the people, which gave it a place among our statutory enactments. It contains, in my judgment, the true constitutional doctrine upon the rights and powers of private corporations over the property of individuals. This valuable reform in our legislation, gives the desired protection to the property of individuals against all encroachments of irresponsible corporate power.

In the course of this session applications may be made to you for the renewal of existing bank charters and for the incorporation of other private companies. It is not within my province to prescribe the details to be embraced in the charters for any such incorporations. If the general acts are not as they should be, it is for you to make the alterations required, and it would illy accord with the Executive to differ with the Legislative branches of the government in the details of a measure which do not in effect violate our constitution. The principle of individual lia-

bility for the debts of private corporations will not, I trust, be yielded; and while it should be faithfully preserved by the future legislation of the State, we should be careful in our engagedness for the maintenance of this principle, that we do no wrong to these private corporations, by restricting too much the powers of the corporators. Equal and exact justice should be the end and aim of public legislation.

From the last annual report made by the Bank Commissioners of Ohio, I subjoin the following extract as containing sound and

correct doctrine upon the subject of banking:

"In the organization and management of banks, the control over their discounts and the decision as to what persons or classes of persons shall be accommodated, the people have no more direction, than in the affairs of private individuals. The accruing profits, instead of being kept as a fund to discharge the debts of the corporation or to meet its losses, are semi-annually divided among the stockholders, and thereafter become private property, beyond the reach of an execution against the bank. And here is the distinction between a natural person and a corporation. The natural person retains his accumulated profits and they become a part of his property, and are hable at all times for the payment of his debts; but the corporate body, instead of retaining its profits to pay its debts or to meet any losses that may occur, divides them among the stockholders. Individual liability, instead of dividing the profits among the stockholders and the losses among the people, proposes to divide the losses as well as the profits among the persons composing the body corporate. The history of the past has proved that frequent and heavy losses have occurred from bank failures. This loss must fall upon one of two classes of men, the bankers or the bill holders. If the management devolves exclusively on one party and the profits also enure to the same, it is clearly right to fix the responsibility on that party having both the control and the profit."

The Legislature will constantly bear in mind that their first and last object, should be to provide for the perfect security of the public against every possible loss by reason of the conduct of private corporations. It is immaterial in what way this object shall be accomplished, if it be but attained. The maximum of the capitals to be held by banking companies, the provisions and the details for their government and for the security of the public, are properly and exclusively within your province. With

those matters I do not propose to interfere.

If it be policy to increase banking or any other private corporations, it would be but an act of justice that the security to the

public should be made with as much convenience to the corporations as practicable. Various modes have occurred to me, each looking to the same object, and I dare presume that your own reflections will finally lead to the adoption of some general plan which will give entire protection to the public, without imposing such unnecessary restraints as will lead private corporations to surrender their charters. The incorporation of a bank is a power which should be exercised with great caution. To all such artificial persons, you give the right to create for the public a paper circulating medium, which ever has been and ever will be taken as money by the people. It is not to be denied that to banking companies, uncontrolled and irresponsible, and conducted as they have been, is committed the power of fixing the value of the entire property of the country. When they expand their circulation, property rises. When they contract, it sinks. "If a great expansion of the currency of the country creates high prices, high wages and over-trading, it is self evident that a great contraction of the currency will produce exactly the opposite effects -low prices, low wages and little trading." The abundance of paper money gives an inflated value to products, which is taken away when new discounts are refused and payments required.

"The constant tendency of banks has been to lend too much, and to put too many notes in circulation." It was once well said by a distinguished peer of England, that "if the Americans went into the funding system of England, and adopted their projects of unsubstantial paper money, their boasted independence would prove to be the merest phantom." How literally has this pre-

diction been verified by the history of past events!

Much has already been accomplished by the stern and inflexible democracy of New Hampshire, in promoting the cause of equal rights and in sustaining the demands of just and constitutional privileges. Let us steadfastly maintain the positions we have assumed. True it is, that the history of our own State, for the last half century, has not seemed to require a full and explicit exposition of those great principles which are now deemed as essentially connected with human rights. Such has been the even tenor of our way, such has been the course of past events, that there has not occurred any such conflict in the application of those constitutional provisions, as necessarily to call forth, until recently, any general discussion of the subject. But the diversified concerns of man have in more modern time raised the direct questions: What are the rights and privileges of the citizen as guarantied by the constitution?—and what powers have public and private corporations over those individual rights?

These momentous considerations have been within the few last years addressed to the intelligence and patriotism of our State. The sovereign power has responded, and our course should be onward. We cannot recede. The people's will should be the

agent's guide.

We cannot fail to love our own country, "its soil, its equality, liberty, laws and manners." It was once said by Mr. Jefferson,—"How little do my countrymen know what precious blessings they are in possession of, and which no other people on earth enjoy." They should realize "how much it is their interest to preserve uninfected by contagion, those peculiarities in their government and manners to which they are indebted for those blessings." Political liberty and equality are the boasted boons of our people. They belong to us, and these pure principles will continue to warm the current of our feelings and rivet the affections of our hearts to our State and government.

At the close of the present political year, I shall have filled the office of Chief Executive Magistrate for that period of time, which cannot fail to admonish me of the propriety of then yielding my place to another, and of returning to my constituents with an account of my public stewardship. Entertaining these sentiments, and aware that the time is at hand, when according to long usage, a candidate for this office, for the year next succeeding the present, will be put in nomination; and while I shall ever hold in grateful remembrance the distinguished honors which have been conferred upon me; I desire distinctly to announce to my fellow citizens, that I must decline being considered among the number of those from whom a selection will have to be made.

It will be perceived that in this, my last address to the legislature, I have not recommended any alteration in our present system of laws. My suggestions have been of a very general character, but it is to be hoped that they will be found neither inappropriate nor unprofitable in their influence upon the future legislation of

the State.

We owe it to ourselves, as well as to our constituents, to give evidence of our devotion to their interests by practising a judicious economy. We should pursue with diligence whatever shall

be necessary to be done.

It becomes us who occupy for a time these responsible places, to exert for the people our best efforts and all our habits of industry, while employed in the public service. Time is money, and we should strive to continue this session no longer than shall be necessary for the transaction of the public business. Let us exhibit an example worthy of imitation; give precepts worthy of

ourselves; show forth our steadfast zeal in the cause of human rights and our untiring devotion to the cause of human liberty. And be assured that I shall be ready, at all times and on all occasions while in office, to co-operate with you in the adoption of any constitutional measure promotive of the interests and happiness of the people. William awo awo evol or had roun

HENRY HUBBARD.

Executive Chamber, June 8th, 1843.

One copy of the foregoing address was then presented by His Excellency to the President of the Senate and one copy to the Speaker of the House. 1 one year dollar of grannam bus 1000002

His Excellency the Governor and the Honorable Council then withdrew edgioning stug send these pure principles withdrew

On motion of Mr. Smith of the Senate-199 and many of some

The Convention rose and the Senate returned to their cham-At the close of the present political year, I shall have filled rad

office of Cinet Executive Maristrate for that period of time, which cannot fall to admension and propriety of them yielding my place to another, aTANAS NI to my constituents with an account of my public stewardship. Entertaining these sense

On motion of Mr. Warner only and had a serve outs, support -besonus ized hery sai The Senate adjourned. The senate adjourned.

Estable of one are those AFTERNOON. I he decreared live it

seen contented upon me: I desire distinctly to appounce to my ellow citizens, that I must decline being considered among the

On motion of Mr. Colbysustinged que and The Senate adjourned. beyond so of at it and its nounded and so of the senate adjourned.

FRIDAY, JUNE 9, 1843.

Mr. Colby moved that the Clerk be directed to procure the printing of two hundred copies of the Governors' address for the use of the Senate. A goisest and sensings of sylving bloods sw blas

We owe it to ourselves, see the our constituents, to give

an And the question being put, a perparation of the seeds ad

lo. It was decided in the affirmative. lo valuow elomaze as addition

A message was received from His Excellency the Governor by Mr. Stevens, Secretary of State:

" To the Honorable Senate and House of Representatives :

I herewith transmit the annual report of the Warden of the State Prison, giving a statement of the receipts and expenditures at that institution for the year ending April 30th, 1843, accompanied with communications from the Physician and Chaplain of the Prison.

HENRY HUBBARD.

Council Chamber, June 8th, 1843. 19310 to reducin ele

The foregoing message having been read, was, done a small on motion of Mr. Smith—

Laid upon the table.

A message from the House of Representatives by their Clerk:

ready to meet the Honorable Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution."

On motion of Mr. Hoskins-

Resolved, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elections agreeably to the provisions of the Constitution.

IN CONVENTION.

The Senate and House of Representatives being assembled in Convention for the purpose of proceeding in the elections—

On motion of Mr. Colby of the Senate- M to notion at

The Convention proceeded to choose by ballot a Senator for District No. 4, from the two highest candidates.

| Jistille Ivo. To Home the two managers | |
|--|-----------|
| Whole number of votes | 223 |
| Necessary for a choice | 112 |
| James Batcheller has | 2 |
| Jeremiah Kingman has | 3 |
| James Cochran has and sold all do | action 61 |
| Isaac Hale has bootuojbs etsue? od I | 157 |
| nd is elected. | |

The Convention then proceeded in like manner to the choice of Senator from District No. 5.

| Whole number of votes | 7 25W 5 262 25 222 |
|--|----------------------|
| Necessary for a choice | 112 |
| Charles Dennett has | 2 |
| Andrew Pierce has | I o the Honorable |
| Joromich Kingman has | -1 |
| Andrew Pierce In her | MERCH HILVETTI |
| and is elected. | like a gaiving a 148 |
| The Convention proceeded to the election | on of a Senator from |
| District No. 9 in like manner. | Out and tagininance |
| Whole number of votes | 231 |
| Necessary for a choice | 116 |
| James Batcheller has | 74 |
| Elijah Carpenter has | 157 |
| and is elected. | detach mont his I |

On motion of Mr. Colby of the Senate-

The Secretary of State was directed to notify Hon. Isaac Hale of his election as Senator from District No. 4, Hon. Andrew Pierce, Jr., of his election as Senator from District No. 5 and Hon. Elijah Carpenter of his election as Senator from District No. 9.

On motion of Mr. Hibbard of the House-

The Convention proceeded to open, read and record the returns of votes for Counsellors in the several Counsellor Districts in this State and completed the same.

Mr. Smith of the Senate moved that a select committee be appointed to receive the returns of votes for Counsellors, count and

cast their numbers and report thereon to the Convention.

On the question being put, It was decided in the affirmative.

Ordered, That Messrs. Smith of the Senate, Curtice of Danbury and Stevens of Middleton of the House constitute said committee.

On motion of Mr. Warner of the Senate-

'The Convention rose and the Senate withdrew to their chamber.

IN SENATE.

On motion of Mr. Hoskins—
The Senate adjourned.

BARELON BANK YAAFTERNOON.

Honorable Isaac Hale having been elected in Convention, Senator from District No. 4, and having been duly qualified, appeared and took his seat.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have appointed Messrs. Peirce of Dover, Foss and Thompson a committee on the part of the House, with such as the Senate may join, to prepare and report joint rules for the government of the two Houses the present session, in which they ask the concurrence of the Honorable Senate."

On motion of Mr. Warner-

The Senate concurred.

Ordered, That Mr. Hale be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives

accordingly.

On motion of Mr. Smith-

The Clerk was directed to procure the printing of fifty copies of the report of the Warden of the State Prison and the accompanying documents for the use of the Senate.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have appointed Messrs. Durgin, Daniell and Barker a committee on the part of the House, with such as the Senate may join, to assign committee rooms to the several standing committees, in which they ask the concurrence of the Honorable Senate."

On motion of Mr. Hoskins-

The Senate concurred.

Ordered, That Mr. Warner be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives

on motion of Mr. Colby-

The Senate adjourned.

SATURDAY JUNE 10, 1843.

A message was received from the House of Representatives' by Mr. Colby, one of the committee for that purpose, giving information that prayers will be offered up in the Representatives Hall, daily, at a quarter before ten o'clock and inviting the Senate to attend.

Mr. Warner, from the joint select committee appointed to assign committee rooms to the several standing committees, repor-

ted the following joint resolution: (1) to page 9

Resolved by the Senate and House of Representatives, That committee rooms numbered 6, 7 and 8 be occupied by the committees of the Senate, and the following rooms by the committees of the House of Representatives:

No. 1, by the committees on Elections and Banks.

No. 2, by the committees on Incorporations and the Alteration of Names.

No. 3, by the committees on Agriculture, Manufactures and on Finance.

No. 4, by the committees on Roads, Bridges and Canals and on Public Lands.

No. 5, by the committees on Claims and Printers' Accounts. No. 9, by the committees on Unfinished Business, on Bills on their second reading and on the State Prison.

No. 10, by the committee on the Judiciary, normally any age

No. 11, by the committees on Military Affairs and on Military Accounts.

No. 12, by the committees on Education and on the Library. No. 13, by the committees on Towns and Parishes and by the select committees.

No. 6, by the joint committee on Engressed Bills. In June 1982

No. 8, by the committee on the State House and State House Yard.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Hoskins-

Resolved, That when the Senate adjourn it adjourn to meet again on Monday next at three o'clock in the afternoon.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have appointed Messrs. Sturtevant, Brown of Sandbornton and Burnham a committee on the part of the House, with such as the Senate may join, to procure three hundred printed copies of the rules of the House and the joint rules of the two Houses, the constitution of the United States, the constitution of the State of New Hampshire, the names of the several members of the Legislature and its officers, together with a list of the standing committees in each of its branches, for the use of both branches of the Legislature the present session in which they ask the concurrence of the Honorable Senate."

On motion of Mr. Warner-

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to procure three hundred printed copies of the rules of the House, the joint rules of the two Houses, the Constitution of the United States and of the State, with the names of the several members and officers of the Legislature.

Ordered, That Mr. Swett be joined to said committee on the

part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed the resolution, reported by the joint select committee, assigning rooms to the several standing committees of the Legislature."

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives are ready to meet the Honorable Senate in convention, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution."

On motion of Mr. Hoskins-

Resolved, That the Senate now meet the House of Representatives in convention for the purpose of proceeding in the elections.

IN CONVENTION.

The Senate and House of Representatives, being assembled

in the Representatives' Hall, for the purpose of proceeding in

the elections-

Mr. Smith, from the select committee appointed to receive the returns of votes for Counsellors, count and cast their numbers, and report to the convention, made the following

REPORT.

| REPURI. | |
|--|----------------|
| In District No. 1, the whole number of votes returned is | 9423 |
| Necessary for a choice, | 4717 |
| Estimated as scattering, | 173 |
| Noah Piper has | 737 |
| James B. Creighton has | 1657 |
| William Choate has | 2675 |
| Elijah R. Currier has | 4181 |
| No person having the requisite number of votes, there choice. Elijah R. Currier and William Choate are the two est candidates. | is no high- |
| The state whole number of votes returned is | 8366 |
| In District No. 2, the whole number of votes returned is | 4184 |
| Necessary for a choice. | 35 |
| Estimated as scattering, and representation of the last | 700 |
| Josiah Dearborn has | 2008 |
| Jeremiah Wilson has | 5623 |
| Samuel G. Berry has and is elected. | |
| In District No. 3, the whole number of votes returned is | 10039 |
| In District No. 3, the whole number of variation | 5020 |
| Necessary for a choice, | 245 |
| Estimated as scattering, | 746 |
| Frederick G. Stark has | 946 |
| Jesse Woodbury has another the medical form | 2578 |
| Henry B. Chase has designed and electronical solution of the James M'K. Wilkins has a solution and is elected. | 5524 |
| | 7891 |
| In District No. 4, the whole number of votes returned is | 3946 |
| | |
| Estimated as scattering, | 3865 |
| Alvah Smith has | 4023 |
| Francis Holbrook has | 4020 |
| and is elected | |
| In District No. 5, the whole number of votes returned is Necessary for a choice, | 7046 3524 |
| 그리다 얼마 하다 그리다 하는데 하는데 하는데 하는데 그리다. 그리는 그리는 그리는데 그렇게 되었다. | |

| Estimated as scattering | the Covernor and infector | 00 |
|-------------------------|---|------|
| Moses Webster has | , | 28 |
| | | 233 |
| Levi Parker has | | 826 |
| Ira Young has | | |
| James H. Johnson has | | 2103 |
| James II. Johnson has | Table William Had III Share III | 3856 |
| and is elected. | | 0000 |

Which report having been read, On motion of Mr. Hoskins, of the Senate-Resolved, That the same be accepted. On motion of Mr. Hoskins, of the Senate-

The convention proceeded by ballot to the choice of Counsellor, from the two highest candidates, to fill the vacancy existing in Counsellor District No. 1.

| Whole number of votes cast, | 201 |
|--|-----|
| Necessary for a choice, William Choate has | 102 |
| Elijah R. Currier has | 51 |
| nd is elected. | 150 |

On motion of Mr. Durgin, of the House-The convention rose and the Senate returned to their chamber.

IN SENATE.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have appointed Messrs. Durgin, Clarke of Atkinson and Tudor, a committee, with such as the Senate may join, to wait on His Excellency the Governor and inform him that the following gentlemen are elected Counsellors for the ensuing political year, namely:

From District No. 1, Elijah R. Currier; No. 2, Samuel G. Berry; No. 3, James M'K. Wilkins; mighaites No. 4, Francis Holbrook; No. 5, James H. Johnson;

in which they ask the concurrence of the Honorable Senate.24 obs 10. H the queenon under dobate will admit of division, any

member may have it divided, an eniskoH liM ho notion no Resolved, That the Senate concur with the House of Representatives in the appointment of a joint committee to wait on His

Excellency the Governor, and inform him of the election of Moses Webster has Counsellors.

Ordered, That Mr. Hoskins be joined to said committee on

the part of the Senate.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Smith, from the select committee to report rules and regulations for the government of the Senate the present year, repor-

RULES OF THE SENATE.

1. The President having taken the chair, and a quorum being present, the journals of the preceding day shall be read, and any erroneous entry shall be corrected.

2. No member shall hold conversation with another during the reading of the journals or while a member is speaking in debate.

3. Every member rising to speak shall address the President, and when he has finished shall sit down.

4. No member shall speak more than twice on the same ques-

tion on the same day, without leave of the Senate.

5. More than one member rising to speak at the same time, the

President shall decide who shall speak first.

6. If any member transgress the rules of the Senate, the President shall, or any member may, call him to order, in which case the member so called to order shall sit down, and the Senate, if appealed to, shall decide in the case, but if there be no appeal, the decision of the President shall be conclusive.

7. No member shall absent himself without permission from

the Senate.

S. A motion shall be seconded before it is debated, and if required by the President, or any member, it shall be reduced to

writing.

9. When a question is under debate, no motion shall be received, but to adjourn, to postpone indefinitely, to lie on the table, to postpone to a certain day, to commit or to amennd, which several motions shall take precedence in the same order in which they are arranged. And no motion to postpone indefinitely, to postpone to a certain day, or to commit, being decided, shall be in order at the same stage of the bill or proposition until after an

10. If the question under debate will admit of division, any member may have it divided, and in filling blanks, the longest

time, and the largest sum shall be put first.

11. When the reading of a paper is called for, and the same is

objected to, it shall be decided by a vote of the Senate, and without debate.

12. When the ayes and noes are required, each member shall declare his assent or dissent to the question, unless for special

reasons he be excused by the Senate.

13. When a motion is made to shut the doors of the Senate on the discussion of any business, which in the opinion of any member may require secrecy, the President shall desire the gallery to be closed, and the door shall remain closed until the subject is

disposed of.

14. After a motion has been decided, it shall be in order for any member who voted with the majority, or if the Senate be equally divided, any member voting on the side prevailing, to move a reconsideration thereof, unless the bill, resolution, report, amendment or motion on which the vote was taken, has gone from the possession of the Senate: but no motion to reconsider shall be in order unless made the same day on which the vote was taken, or the day next after on which the Senate shall be in session; but no vote shall be reconsidered when a less number of members is present than when it passed.

15. Before any petition or memorial addressed to the Senate, shall be received and read, a brief statement of the contents there-

of shall be made by the member introducing the same.

16. At least one day's notice shall be given before a motion for

leave to bring in a bill shall be in order.

17. Every bill shall be read three times before its passage; and the President shall give notice at each time, whether it be the first, second or third reading; and no bill after it has been read a second time, shall have a third reading before an adjournment.

18 All resolutions which may require the signature of the Gov-

ernor, shall be treated in the same manner as bills.

19. When a bill shall have been read a first time and ordered to a second reading, it shall immediately be read a second time by its title, and be by the President referred to the appropriate stand-

ing committee, unless otherwise ordered by the Senate.

20. The Senate may resolve itself into a committee of the Whole at any time, on motion made for that purpose, and in forming a committee of the Whole, the President shall leave the chair and appoint a chairman to preside in committee; the President may at any time name any member to perform the duties of the chair; but such substitution shall not extend beyond an adjournment.

21. The last question upon the second reading of a bill or resolution shall always be: shall it be read a third time? and no

amendment shall be received or discussed on the third reading of any bill or resolution, unless by consent of eight members present: but it shall at all times be in order before the final passage of a bill or resolution, to move its commitment, and should such commitment take place, and an amendment be reported, the bill or resolution shall again be read a second time and considered as in committee of the Whole.

22. The titles of bills, and such parts thereof, as may be affected by proposed amendments, shall be entered on the journals.

23. All bills, resolutions and addresses, after passing the Senate, shall be signed by the President; and all warrants and other processes issued by order of the Senate, shall be under his hand and seal, attested by the clerk.

24. The following standing committees, to consist of three members each, shall be appointed at the commencement of any

session, with leave to report by bill or otherwise :-

A committee on the Judiciary; A committee on Incorporations;

A committee on Military Affairs; ad Ilada 9207 on and anticessa A committee on Roads, Bridges and Canals; and a stocker

A committee on Claims;

15. Refere any neutron or an A committee on Agriculture and Manufactures;

A committee on Banks; of the second of very barn ed line to A committee on Elections; a sollog a veb sec 1889 1A .31

A committee on Education; ill, ad flede flid a ut good or even

A committee on Unfinished Business; A committee on Printers' Accounts. Sylve I have highlest I and

25. All committees shall be appointed by the President, unless a member requests that the appointment shall be by ballot, in

which case it shall be so done.

26. When the Senate shall concur with the House of Representatives in the appointment of a joint committee consisting of not more than five members of the House, one member shall be added on the part of the Senate; but when more than five, two members of the Senate shall be added.

27. Messages shall be sent to the House of Representatives

by the Clerk of the Senate.

28. Messages from the Governor or House of Representatives may be received at all times, except when the Senate is engaged in putting a question, in calling the ayes and noes, in counting ballots, or in reading the journal.

29. All questions shall be put by the President, and each member of the Senate shall signify his assent or dissent by answering aye or no. If the President doubts, or a division be called for, the Senate shall divide; those in the affirmative of the question shall first rise from their seats and stand till they be counted, and afterwards those in the negative shall rise and stand till they be counted. The President shall then rise and state the decision of the Senate.

30. No person except the members of the Executive, or members of the House of Representatives and their officers, shall be admitted within the bar of the Senate, except by invitation of the

President, or some member with his consent.

31. The Senate shall adjourn to meet at ten o'clock in the morning and three o'clock in the afternoon of each day, unless the Senate shall otherwise order.

32. Motions to adjourn shall be decided without debate.

On motion of Mr. Hale-

The reading of the Rules was dispensed with.

On motion of Mr. Morrill-

Resolved, That the foregoing rules be adopted for the govern-

ment of the Senate the present year.

Mr. Hale, from the select committee appointed to prepare and report joint rules for the government of the two branches of the Legislature the present year, reported the following resolution:

Resolved, That the joint rules of the last session of the Legislature be adopted for the government of the two Houses the pre-

sent session.

On the question,
Shall the resolution be adopted?
It was decided in the affirmative.

So the resolution was adopted.

Ordered, That the Clerk notify the House of Representatives accordingly.

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

1. When a Convention of the two Houses is to be formed, whether by requirement of the Constitution or by a vote or resolve of the two Houses, a message shall be sent from the House of Representatives to the Senate, giving notice when the House will meet the Senate in Convention. As soon thereafter as the convenience of the Senate will permit, they will attend in the House. The Speaker of the House shall be Chairman of the Convention, and shall state the reason for forming the Convention. When the House and Senate are thus formed in Convention.

tion, the rules adopted as the rules of the House, shall be considered the rules of the Convention, so far as they may be deemed applicable, and the Convention shall accordingly be governed thereby.

2. Messages shall be sent by such person or persons as a sense

of propriety in each House may determine to be proper.

3. When a message shall be sent from either House to the other, it shall be announced, at the door of the House to which it may be sent, by the doorkeeper.

4. While bills are on their passage between the two Houses, they shall be under the signature of the Clerk of each House re-

spectively.

5. There shall be a committee for the purpose of engrossing bills, consisting of two members of each House. All bills that pass both Houses shall be delivered to said committee, be by them engrossed, carefully examined and reported to the respective Houses; and shall be signed, first by the Speaker of the House of Representatives, then by the President of the Senate.

6. There shall be a committee, to consist of three members of the House and one of the Senate, on each of the following sub-

jects, to wit:-

On all matters relative to the State Library, and on all mat-

ters relative to the State House and State House Yard.

7. When a bill or resolve, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

8. Each House shall transmit to the other all papers on which

any bill or resolve shall be founded.

9. Each House shall transmit to the other all bills which have passed their several stages in the House in which they originated, at least forty-eight hours before the time fixed on for adjournment.

10. After each House shall have adhered to their disagreement,

a bill or resolve shall be considered lost.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have adopted the joint rules reported by the joint select committee appointed for that purpose, for the government of the two Houses the present session."

Mr. Hoskins, from the joint select committee appointed to wait upon His Excellency the Governor and inform him of the

election of Elijah R. Currier, Samuel G. Berry, James M. K. Wilkins, Francis Holbrook and James H. Johnson, as Counsellors for the ensuing political year, reported that they had attended to the duty assigned them.

On motion of Mr. Smith-

The Senate adjourned. H man A second A

MONDAY, JUNE 12, 1843.

To the Senate and House of menticental

AFTERNOON.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have appointed Messrs. Bissell, Smith of Bradford and Dow, a committee, with such as the Senate may join, for the purpose of fixing on a day on which the businesss of the present session may be brought to a close. " ches sell saim? space M red T harabal

On motion of Mr. Colby-

Resolved, That the Senate concur with the House of Representatives in the appointment of a committee for fixing on a day on which the business of the present session may be brought to a

Ordered, That Mr. Hatch be joined to said committee on

the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly. Andrew Pierce, Jr., having been elected in !

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have appointed Messrs. Barber, Goodwin and Metcalf, with such as the Senate may join, to audit the accounts of the Treasurer of this State, in which they ask the concurrence of the Honorable Senate."

On motion of Mr. Warner-

Resolved, That the Senate concur with the House of Representatives in the appointment of a committee to audit the accounts of the Treasurer of this State. The area Management of

Ordered, That Mr. Morrill be joined to said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives

accordingly.

A message from His Excellency the Governor by Mr. Stevens, Secretary of State.

" To the Senate and House of Representatives:

I herewith communicate sundry resolutions adopted by the General Assembly of the State of New Jersey upon the subject of the "repudiation of State debts" for your consideration.

HENRY HUBBARD.

Council Chamber, June 10, 1843."

The foregoing message and the accompanying documents having been read—

On motion of Mr. Hatch-

Resolved, That the message of His Excellency the Governor, together with the accompanying resolutions, be referred to a select committee of three and that they report thereon.

Ordered, That Messrs. Smith, Hale and Swett constitute said

committee.

On motion of Mr. Colby-

The Senate adjourned.

assignmessign to ease H adTUESDAY, JUNE 13, 1843.

Hon. Andrew Pierce, Jr., having been elected in Convention Senator from District No. 5, and Hon. Elijah Carpenter having been elected in Convention Senator from District No. 9, appeared, were duly qualified and took their seats.

The President of the Senate announced from the Chair the ap-

pointment of the following

STANDING COMMITTEES:

On the Judiciary-Messrs. Colby, Hoskins and Smith.

On Incorporations-Messrs. Hoskins, Smith and Colby.

On Military Affairs - Messrs. Warner, Colby and Hoskins.

On Roads, Bridges and Canals—Messrs. Pierce, Carpenter and Hatch.

On Claims-Messrs. Swett, Morrill and Pease.

On Agriculture and Manufactures-Messrs. Hatch, Pierce and Morrill.

On Banks-Messrs. Smith, Warner and Swett.

On Elections-Messrs. Carpenter, Swett and Hale.

On Education-Messrs. Morrill, Hatch and Carpenter.

On Unfinished Business-Messrs. Hale, Pease and Warner.

On Printers' Accounts-Messrs. Pease, Hale and Pierce.

The President of the Senate, from his place, announced the following

JOINT STANDING COMMITTEES:

On Engrossed Bills-Messrs. Colby and Smith.

On the State House and State House Yard-Mr. Warner.

On the Library-Mr. Hale.

On motion of Mr. Colby-

Resolved, That a committee of three be appointed to take into consideration the annual message of His Excellency the Governor and report what disposition be made of the several subjects embraced therein.

Ordered, That Messrs. Colby, Pierce and Carpenter consti-

tute said committee.

A message from His Excellency the Governor by Mr. Steevens, Secretary of State:

To the Senate and House of Representatives:

I herewith transmit for your information a copy of sundry resolutions, adopted by the Legislature of the State of Maine, upon

the subject of "unqualifiedly refunding to General Andrew Jackson the fine imposed upon him by Judge Hall."

HENRY HUBBARD.

Council Chamber, June 10th, 1843,"

On motion of Mr. Smith Mand crass M. - caris

Said message and resolutions were read.

On motion of Mr. Hoskins-

Resolved, That the foregoing message of His Excellency the Governor, together with the accompanying resolutions be referred to a select committee of three and that they report thereon.

Ordered, That Messrs. Hoskins, Warner and Hale constitute

said committee.

A message from His Excellency the Governor by Mr. Stevens, Secretary of State:

" To the Senate and House of Representatives:

Under the first resolution adopted by the Legislature, June 23d, 1842, I was authorized, among other things, "to procure and transmit one copy of all the Judicial decisions of the Courts of this State to each of the States of Missouri, Mississippi and Arkansas," and was empowered to draw my warrant on the Treasurer to pay for the same. Under the second resolution, adopted at the same time, "the Secretary of this State was required to procure and transmit to the several States and Territories one copy each, as they may hereafter be reported and published, of the printed Judicial decisions of the Courts of this State." No provision was made to meet the charge of executing this resolution.

In consequence of the passage of these resolutions the Secretary of State has addressed a letter to the Executive Department of each State and of the United States for the purpose of ascertaining whether, and if any, what number of the volumes of the Reports of our Judicial decisions had been received by them respectively. Answers have been received at this Department from the Secretary of State of the United States, and from the States of Maine, Connecticut, Vermont, New York, Delaware, Maryland, North Carolina, Alabama, Arkansas, Mississippi, Illinois, Indiana and Missouri. From these returns it appears that the States of Illinois, North Carolina, Delaware and Arkansas have not received any of our Judicial Reports. The communication of the Deputy Secretary of the State of Delaware gives information "that if there be not a full set of Harrington's (Delaware)

Reports in the State Library of New Hampshire, he will cause one to be forwarded as soon as the fact can be ascertained." The State of Alabama has been furnished only with the first and the fifth volumes of our Reports. The States of Indiana, Vermont and Maryland have each been furnished with six volumes, from No. 1 to No. 6, inclusive. The State of Connecticut has been furnished with volumes from No. 1 to No. 3, inclusive. State of Missouri from No. 1 to No. 5, inclusive. The State of New York from No. 1 to No. 8, inclusive; and the Library of Congress has been supplied with eight volumes, from No. 1 to No. 8, inclusive. From these facts it has occurred to me that it might be well for the Legislature to reconsider the last resolution, adopted June 23d, 1842, and to provide that authority be given to procure and transmit to each State and Territory, as many volumes of the Reports of our Judicial decisions, so that including what may be on hand, the United States and each State and Territory shall be furnished with one entire set of Reports as far as the same may have been published. It is a well known fact that the decisions contained in one volume are frequently explained and enforced by decisions contained in some previous volumeand in order to give to the respective States the opinions of our Superior Court upon the law as promulgated, it seems to me very necessary that they should be furnished with full sets of our Reports. I have felt it to be my duty to present this subject to your consideration, and I hope it will accord with the judgment of the Legislature so to amend the resolution to which I have already referred, as to furnish to the Library of Congress and to each State and Territory, one copy each of the Judical decisions which have been, as well as those which may hereafter be published. HENRY HUBBARD.

Council Chamber, June 13, 1843."

The foregoing message having been read,

On motion of Mr. Colby-

Resolved, That the same be referred to the committee on the Judiciary.

On motion of Mr. Warner tug saied noiseaup and a O

The Senate adjourned. Abbusine out shall a senate adjourned in believe await

Mr. Smelt, from the joint select committee for procuring faree

Shall the resolution pass as amended :

Reports in the State Lib ... MOONTERNOON.

Mr. Colby, from the select committee, to whom was referred the annual message of His Excellency the Governor, with directions to report what disposition shall be made with the several subjects embraced therein, reported the following resolution:

Resolved, That so much of His Excellency's message as relates to common schools and education generally be referred to

the committee on Education;

That so much of said message as relates to the militia be refer-

red to the committee on Military Affairs;

That so much of said message as relates to the Asylum for the Insane be referred to a select committee;

That so much of said message as relates to the State Prison be

referred to the committee on the State Prison;

That so much of said message as relates to railroads and rights of way be referred to the committee on Roads, Bridges and Canals;

That so much of said message as relates to banks and banking

be referred to the committee on Banks;

That so much of said message as relates to the granting of acts of incorporation be referred to the committee on Incorporations.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Colby moved the reconsideration of the vote adopting said resolution.

On the question being put,

It was decided in the affirmative. So the vote was reconsidered.

Mr. Colby moved to amend said resolution by striking out of that clause relating to the State Prison the words "to the committee on the State Prison," and inserting instead thereof, "to a select committee."

On the question being put,

Shall the amendment be adopted?

It was decided in the affirmative.

On the question,

Shall the resolution pass as amended?

It was decided in the affirmative.

So the resolution passed as amended.

Mr. Swett, from the joint select committee for procuring three

hundred printed copies of the Rules of the House, and the joint rules of the two Houses, the Constitution of the United States and of this State, with the names of the several members of both branches of the Legislature and its officers, reported that they had attended to the duty assigned them, and that they have contracted for the printing of the same, which will be ready for distribution to-morrow.

The President of the Senate announced from the chair the fol-

SELECT COMMITTEES:

On so much of His Excellency's message as relates to the Insane Asylum-Messrs. Pease, Swett and Hatch. 19 black ed a

On so much of said message as relates to the State Prison-

Messrs. Warner, Morrill and Carpenter. I Island of

A message from His Excellency the Governor, by Mr. Stevens, Secretary of State:

"To the Senate and House of Representatives :

I herewith transmit to the Legislature the Reports of the Bank Commissioners, showing the condition of the several Banks in this state at the time of their last examination.

HENRY HUBBARD.

Council Chamber, June 13, 1843."

On motion of Mr. Colby .- winds better a and vehicle at to Resolved, That the message of His Excellency the Governor, together with the accompanying reports of the Bank Commissioners, be referred to the committee on Banks.

The foregoing message of this Excellency the Governor, and

On motion of Mr. Hoskins-

The Senate adjourned.

Seminated 199192 601 01 WEDNESDAY JUNE 14, 1843.

the subjoined statement baring been read,

Mr. Hoskins, introduced the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire whether any, and if so, what alterations are necessary to be made in the Probate laws of this State, and report by bill or otherwise.

The foregoing resolution was read.

On the question,
Shall the resolution pass?

It was decided in the affirmative.

A message from His Excellency the Governor, by the Secretary of State:

"To the Senate and House of Representatives :

On the 28th of March last a suit was commenced against Gordon Burley on a claim in favor of the State, against him, growing out of his contract for the employment and service of the convicts in the State Prison. This action has been submitted to an auditor, but the nature and extent of the claims brought into controversy, seem to render it necessary that the matter should be finally tried and determined by a board of arbitrators, in preference to a trial by a jury. Desirous of bringing this action to a close, I have had a conference with Mr. Burley, and he assents that arbitrators may be selected to adjust the matters in dispute. I have also had a conversation with one of the attorneys employed by the State, and he not only assents, but recommends that such arrangement be made. I would therefore suggest to the Legislature the propriety of passing a resolution, giving authority to some person to conclude such an agreement with Mr. Burley as will lead to a speedy adjustment of the claims in controversy between him and the State. I feel authorized in saying that the bondsmen of Mr. Burley have signified their assent to such an arrangement, and will not hesitate to abide by the award of the arbitrators in the case. The subjoined statement has been furnished me by the Attorneys for the State.

HENRY HUBBARD.

Council Chamber, June 14, 1843."

The foregoing message of His Excellency the Governor, and the subjoined statement having been read,

On motion of Mr. Colby-

Resolved, That the same be referred to the select committee on the State Prison.

Mr. Carpenter presented the petition of Samuel Beal and others, for the removal of a Justice of the Peace.

On motion of Mr. Warner - or h bas you red adw enupoi co

The same was referred to the committee on the Judiciary.

A message from the House of Representatives by their Clerk:

Mr. President—The House of Representatives are now ready to meet the Honorable Senate in convention, for the purpose of proceeding in the elections agreeably to the provisions of the Constitution."

On motion of Mr. Hale-

Resolved, That the Senate now meet the House of Representatives in convention for the purpose of proceeding in the elections.

IN CONVENTION.

The Senate and House of Representatives, being assembled in Convention in the Representatives' Hall, for the purpose of proceeding in the elections agreeably to the Constitution;

On motion of Mr. Colby of the Senate-

The Convention proceeded by ballot to the choice of a Secretary of State for the ensuing political year.

| Whole number of votes cast | M lo nonom 22 | | |
|----------------------------|---------------|-----|--|
| Necessary for a choice | norms view ol | 15 | |
| Andrew Pierce has | | 100 | |
| Woodbridge Odlin has | | 1 | |
| Icano Hill has | | 1 | |
| George Ela has | | 1 | |
| Ira A. Eastman has | | 2 | |
| John L. Hadley has | | | |
| John Town has | | 7 | |
| Josiah Stevens, Jr. has | | 14 | |
| Isaac Sturtevant has | | 67 | |
| Thomas P. Treadwell has | 1 | 33 | |
| and is elected. | | | |
| | | | |

On motion of Mr. Pease, of the Senate-

The convention proceeded by ballot to the choice of a State Treasurer for the ensuing year:

| Whole number of votes cast, | 235 |
|--|----------|
| Necessary for a choice, | 118 |
| Zenas Clement has Mischer Mischer Mischer Clement has Mischer Mischer Mischer Clement has Mischer Misc | 1 |
| Simon Colby has a guitalent saish to said add | |
| Isaac Spaulding has Secured and on one are | to snext |
| Thomas P. Treadwell has | 1 |
| Elijah Currier has | nouno d |

| John Town has Mossing A to 9 | 2 Me President The House | |
|----------------------------------|-----------------------------|--|
| | 2 geet the Honorable Senate | |
| 0 | Telections are | |
| Bartholomew Smith has | 15 | |
| Robert Kimball has | 60 | |
| John Atwood has | -piell all lo nottem 144 | |
| and is elected. "OH all Jose was | Payalized That the Senate I | |
| The first of vollagendary In one | | |

On motion of Mr. Hale, of the Senate-

The Convention proceeded by ballot to choose a Commissary General for the ensuing political year.

| | Whole number of votes cast 234 | |
|---|--|--|
| | Negoccary for a choice | |
| | Andrew Pierce has | |
| b | | |
| | John Pymag has | |
| | William Damas has | |
| | T C. I D T TILL DIED (C DSBSSSOR gornerad) Table | |
| € | and is elected. | |

On motion of Mr. Peirce, of the House- and and seed of

The convention rose and the Senate withdrew to their chamber.

IN SENATE.

On motion of Mr. Pease-

The Senate adjourned.

George Ela hat

Issac Surreyabl

and is elected

AFTERNOON.

A message from His Excellency the Governor, by Mr. Stevens, Secretary of State:

"To the Senate and House of Representatives : 13 draws along the

I herewith communicate certain resolutions, adopted by the Legislature of the State of Maine "relating to the imprisonment of citizens of our State in other States."

HENRY HUBBARD.

Elijah Currier has

Council Chamber, June 14, 1843."

The foregoing message and accompanying documents, having been read,

On motion of Mr. Hoskins-Ordered, That they lie on the table.

A message from His Excellency the Governor by Mr. Stevens, Secretary of State:

"To the Honorable Senate and House of Representatives:

I herewith communicate certain resolutions, adopted by the legislature of Massachusetts concerning an amendment of the Constitution of the United States. HENRY HUBBARD.

Council Chamber, June 14th, 1843."

Said message and resolutions having been read,

On motion of Mr. Hatch-

Resolved, That the foregoing message and the accompanying documents be referred to the committee on the Judiciary.

A message from His Excellency the Governor by Mr. Stevens, Secretary of State:

" To the Senate and House of Representatives:

I herewith transmit to the Legislature the Report of the Commissioners of the Literary Fund. HENRY HUBBARD.

Council Chamber, June 14th, 1843."

On motion of Mr. Colby-

The foregoing message of His Excellency the Governor and the accompanying Report were referred to the committee on Education.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives are now ready to meet the Honorable Senate in Convention, for the purpose of proceeding in the elections agreeably to the laws of this State." On menon of Mr. H

On motion of Mr. Smith small ed 1 Resolved, That the Senate now meet the House of Representatives in Convention for the purpose of proceeding in the elec-

On motion of Mr. Hoskins-IN CONVENTION. of jet I benebro

The Senate and House of Representatives being assembled in Convention for the purpose of proceeding in the elections agreeably to the laws of the State,

On motion of Mr. Colby of the Senate-

The Convention proceeded by ballot to choose a State Printer for the ensuing political year:

| build pointed year: | |
|--|-----|
| Whole number of votes cast | 1 |
| Necessary for a choice | |
| Dudley Leavitt has 3481 dill and radian 109 | 3 |
| Isaac Hill has | |
| Carleton & Harvey have | |
| J. & J. W. Prentiss have —dois H. alf lo noister of | |
| William Rymes has | |
| Isaiah Thomas has to estimmos out or porreter ad amang 1 | |
| William Burr has | |
| Dudley Palmer has You Heave I sall most agassem 1 | |
| John Prentiss has | |
| John Caldwall be | |
| Isaac Sturtevant has | |
| | |
| Isaac Hill & Sons have Dudley S. Palmer has | |
| Dudley S. Palmer has Ela, Blodgett & West have | 128 |
| - Tought of Trest Have | |
| Charles W. Brewster has a state and podential bonne of George Wadleigh has | |
| Asa McFarland has | |
| Asa McFarland has Carroll & Baker have | |
| Out of Dakel Have | |
| nd are elected. Of parallel are a hogail amyongmoo 144 | |

On motion of Mr. Hoskins of the Senate-

The Convention rose and the Senate returned to their chamber.

"Mr. President.-The lower Representatives are now eady to meet the Hone STANES MI Convention, for the pur-

Resolved, Thus the Senate now meet the House of Represen

pose of proceeding in the electrons agreeably to the laws of the On motion of Mr. Hale-The Senate adjourned.

THURSDAY, JUNE 15, 1843.

Mr. Colby, from the committee on the Judiciary, to whom was referred the message of His Excellency the Governor in relation to the Judicial Reports of this State, reported a resolution, instructing the Secretary of State to furnish the Secretary of State of the United States and the several States and Territories of this Union with the Judicial decisions of this State.

Which was read a first and second time.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon. is berbuild ago and le

Mr. Hale, from the committee on Unfinished Business, to whom was referred the petition of John Brown and others, reported the following resolution.

Resolved, That the petitioners have leave to withdraw their pehat it be referred to the committee on the Junnoitit

Which was read.

On the question,

Shall the resolution pass? as thomas social edit la broom ed l

It was decided in the affirmative.

So the resolution passed.

Mr. Hoskins, from the select committee, to whom was referred the message of His Excellency the Governor, transmitting certain resolutions of the State of Maine in relation to the fine imposed on General Andrew Jackson, made a report,

Which was read.

On motion of Mr. Hoskins-It was laid on the table.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have appointed Messrs. Downing, Barker and Wood a committee, with such as the Senate may join, to wait on the Secretary, Treasurer, Commissary General and Public Printers, elect, and inform them of their election to their respective offices, and if they accept, to receive of them the bonds required by law, and lay the same before the Convention."

On motion of Mr. Colby-broads of bebassing sienes and I

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to notify the Secretary, Treasurer, Commissary General and State Printers, elect, of their election, and if they accept the several offices to which they have been elected, to receive of them the customary bonds, and lay them before the Convention.

Ordered, That Mr. Carpenter be joined to said committee on

the part of the Senate.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a bill entitled, "An act in amendment of the one hundred and eighty-fifth chapter of the Revised Statutes," in which they ask the concurrence of the Honorable Senate."

Said resolution was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

On motion of Mr. Hoskins-

The report of the select committee, to whom was referred the message of His Excellency the Governor, together with "certain resolutions of the State of Maine in relation to the fine imposed on Gen. Andrew Jackson by Judge Hall," was taken up and recommitted to the same committee.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a resolution in favor of William Rymes, in which they ask the concurrence of the Honorable Senate."

Said resolution was read a first and second time.

Ordered, That it be referred to the committee on Claims.

On motion of Mr. Hale—

The Senate adjourned.

AFTERNOON.

The Senate proceeded to the order of the day on the resolution in relation to furnishing the Secretary of State of the United

States and the several States and Territories of this Union with the Judicial Reports of this State;

Which was read a third time.

Resolved, That said resolution pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Hoskins, from the select committee, to whom was referred the message of His Excellency the Governor with sundry resolutions of the State of Maine, upon the subject of "unqualifiedly refunding to General Andrew Jackson the fine imposed on him by Judge Hall," reported resolutions approving the same, and instructing our Senators and requesting our Representatives in Congress to use their best exertions to procure the passage of a law, unconditionally refunding said fine, together with the costs and the interest thereon:

Which were read.

Resolved, That they pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Swett, from the committee on Claims, to whom was referred the resolution in favor of William Rymes, reported the same without amendment.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

On motion of Mr. Warner-

Resolved, That the Rules of the Senate be so far suspended, that the resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Colby-

The Senate adjourned.

r the words, if the further <u>consideration of the subject tolder</u> of the this committee on Banks, I and inserting nurlead thereby

FRIDAY, JUNE 16, 1843.

Mr. Colby, from the committee on the Judiciary, to whom was referred the petition of Samuel Beal and others, for the re-

moval of a Justice of the Peace, reported the following resolu-

Resolved, That the petitioners have leave to withdraw their petition:

Which was read. State the Clerk notify the House bars aw Which On the question,

Shall the resolution pass? most softe out more suited.

It was decided in the affirmative.

So the resolution passed.

Mr. Hale, from the committee on Unfinished Business, to whom was referred the resolution, in favor of an appropriation for the repair of the apparatus of the fieldpiece and carriage belonging to the 30th Regiment, reported the following resolution;

Resolved, That said resolution be referred to the committee on

Military Affairs.

On the question being put, Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Hoskins, from the standing committee on the Judiciary, to whom was referred the bill from the House entitled "An act in amendment of the one hundred and eighty-fifth chapter of the Revised Statutes," reported the same without amendment.

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this af-

Mr. Hale, from the standing committee on Unfinished Business, to whom was referred the bill entitled, "An act to prolong the charter of the president, directors and company of the Portsmouth Bank," reported the following resolution:

Resolved, That the further consideration of the subject be re-

ferred to the committee on Banks;

Which was read.

Mr. Hatch moved to amend said resolution by striking therefrom the words, "the further consideration of the subject be referred to the committee on Banks," and inserting instead thereof, the petitioners have leave to withdraw their petition;"

Which amendment was adopted.

On the question,

Shall the resolution as amended pass?

It was decided in the affirmative.

So the resolution passed as amended.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a bill entitled, "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire."

The House have passed a resolution, authorizing and directing the interchange of the Judicial Reports of this State with the government of the United States and of the several States of this Union not already supplied, and making an appropriation therefor, in which they ask the concurrence of the Honorable Senate.

The foregoing bill sent up from the House, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire,"

Was read a first and second time. semmong sell of golden a

Ordered, That it be referred to the committee on the Judiciary.

The foregoing resolution sent up from the House in relation to transmitting the Judicial Reports of this State to the United States and to the several States and Territories of the Union,

Was read a first and second time. has tend a base saw doin! W

Ordered, That it be referred to the committee on the Judiciary. On motion of Mr. Hatch-nd a hand of members and illahe

The Senate adjourned on the control of the Company morning at the Ordered, That it be read a third time to morning at the Control of the Cont

On motion of Mr. Hoskins—OhAFTERNOON of T

The Senate proceeded to the order of the day on the bill received from the House, entitled "An act in amendment of the one hundred and eighty-fifth chapter of the Revised Statutes;"

Which was read a third time.

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Hoskins, from the standing committee on Incorporations, to whom was referred so much of the address of His Excellency the Governor as relates to Incorporations, made a report;

Whereupon-

Reselved, That the standing committee on Incorporations be discharged from the further consideration of that part of the address of His Excellency the Governor which relates to incorporations.

A message was received from the House of Representatives,

giving information that the Speaker of that body had signed a resolution in favor of William Rymes, which was reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay it before the Senate for the signature of the President.

Thereupon, the President of the Senate signed said resolution, and the same was delivered to the committee on Engrossed Bills, to be laid before the Governor for his approval and signature.

Mr. Colby, from the committee on Engrossed Bills, reported that they had presented a resolution in favor of William Rymes, by them reported as correctly engrossed, to His Excellency the

Governor for his examination and approval.

Mr. Warner, from the select committee on the State Prison, to whom was referred the message of His Excellency the Governor in relation to the appointment of an agent on the part of the State to make arrangements for submitting the action of the "States vs. Gordon Burley" to arbitrators, reported a resolution authorizing His Excellency the Governor to appoint an agent for that purpose;

Which was read a first and second time.

On the question,

Shall the resolution be read a third time?

It was decided to the affirmative.

-rder of the day on the till re-

Ordered, That it be read a third time to-morrow morning at ten o'clock.

On motion of Mr. Hoskins—
The Senate adjourned.

SATURDAY, JUNE 17, 1843.

Mr. Hale, from the joint committee on the Library, reported a resolution appointing Jacob C. Carter, Librarian for the ensuing year;

Which was read a first and second time.

On the question, amblement to

Shall the resolution be read a third time

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

Mr. Colby, from the committee on the Judiciary, to whom was referred the resolution sent up from the House of Representatives, authorizing and directing the interchange of the Judicial Re-

ports of this State with the government of the United States and the several States and Territories of this Union, reported the same with the following amendment:

"Strike out all of said resolution after the word appropriated,

in the twelfth line."

On the question,

Shall the amendment be adopted? It was decided in the affirmative. So the amendment was adopted.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this af-

ternoon.

Mr. Colby, from the committee on the Judiciary, to whom was referred the bill sent up from the House, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," reported the same without amendment.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this af-

ternoon.

The Senate proceeded to the order of the day on the resolution, authorizing His Excellency the Governor to appoint an agent to conclude by arbitration the case "State vs. Gordon Burley;"

Which was read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of the report and resolutions in relation to the fine imposed upon General Andrew Jackson by Judge Hall."

On motion of Mr. Hoskins-

Resolved, That when the Senate adjourn this forenoon it adjourn to meet again on Monday next at three o'clock in the afternoon.

Mr. Warner, from the committee on Military Affairs, to whom

was referred the resolution in favor of the Artillery company in the 30th Regiment, made a report;

Whereupon-

Resolved, That the same be indefinitely postponed.

On motion of Mr. Smith-

The Senate adjourned.

MONDAY, JUNE 19, 1843.

It was decided in the affirmative. So the amendment was adopted.

Shall the resolution be read a third time ?

The Senate proceeded to the order of the day on the resolution appointing Jacob C. Carter Librarian for the ensuing year;

Which was read a third time. In to members an bas of nomb-

Resolved, That it pass. englagmath well to state out to some

Ordered, That the Clerk notify the House of Representatives

accordingly.

The Senate proceeded to the order of the day on the bill, sent up from the House, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire;"

The Senate proceeded to the earlier and which was read a third time.

Resolved, That it pass and that its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on a resolution, sent up from the House of Representatives, authorizing and directing the interchange of the Judicial Reports of this State with the government of the United States and the several States and Territories of this Union;"

Which was read a third time as amended.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had examined certain resolutions relating to the fine imposed upon Gen. Andrew Jackson by Judge Hall, and find the same correctly engrossed.

A message from His Excellency the Governor by Mr. Treadwell, Secretary of State:

" To the Senate and House of Representatives:

I herewith transmit to the Legislature a communication from the Board of Visitors of the New Hampshire Asylum for the Insane, accompanied by a report from the Trustees and also by a report made to them from the Superintendent of the institution. HENRY HUBBARD.

Council Chamber, June 19, 1843."

Which was read, by the art vehicle was read, by the art vehicle was a sol that we have a sol that a sol that we have a sol that a so Resolved, That the Clerk be directed to procure fifty printed copies of the foregoing message and the accompanying documents for the use of the Senate.

A message from the House of Representatives by their Clerk:

"Mr. President-The Speaker of the House of Representatives has signed the report and resolutions in relation to the fine imposed on Gen. Andrew Jackson by Judge Hall, and a bill, entitled "An act in amendment of the one hundred eighty-fifth chapter of the Revised Statutes," reported as correctly engrossed by the committee on Engrossed Bills."

Thereupon the President of the Senate signed said resolutions and bill, and the same were delivered to the committee on Engrossed Bills to be laid before His Excellency the Governor for

his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the aforesaid report and resolutions in relation to the fine imposed on Gen. Andrew Jackson by Judge Hall, and the bill, entitled "An act in amendment of the 185th chapter of the Revised Statutes" to His Excellency the Governor for his approval and signature.

On motion of Mr. Colby-

President - bearing bearing Senate adjourned - beseed

"An act in addition to chapter one handred and forty-five of the

TUESDAY, JUNE 20, 1843.

Revised Statutes of the State of New Hampshire;"

bills with the following titles, to wit:

Mr. Hale, from the standing committee on Unfinished Business, to whom was referred a resolution in relation to the Connecticut River Bank, made a report;

Whereupon—
Resolved, That the same be referred to the committee on

Mr. Hatch, from the joint select committee to whom was referred the resolution fixing on a day when the business of the present session of the Legislature may be brought to a close, reported the following resolution:

Resolved by the Senate end House of Representatives in General Court convened, That the business of the present session be brought to a close on Wednesday the 28th day of June instant;

Which was read.

On motion of Mr. Warner and Mad O and Mad To Mad Day A

It was laid on the table. The existent amogerof edition

Mr. Hoskins, from the committee on the Judiciary, to whom was referred a resolution instructing them to inquire whether any, and if so, what alterations are necessary to be made in the probate laws of this State, reported a bill, entitled "An act in amendment of chapter 150 and in addition to chapter 155 of the Revised Statutes:"

Which was read a first and second time.

On motion of Mr. Colby-

Resolved, That the same be recommitted to the same committee.

On motion of Mr. Morrill- to to biself and nogue and I

All no dellimines The Senate adjourned. as a self-bas, liid bas grossed Bills to be had before this har ellower the Governor for

Mr. Colby, from the joint standing cammittee on Engrossed

wanthouse of the LA AFTERNOON. The Hall exhalt velone

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have passed bills with the following titles, to wit:

"An act in addition to chapter one hundred and forty-five of the Revised Statutes of the State of New Hampshire;"

"An act to alter one of the terms of holding the Court of Pro-

bate in the county of Carroll:"

"An act in amendment of the twenty-third chapter of the Revised Statutes," in which they ask the concurrence of the Honorable Senate."

The foregoing bill sent up from the House of Representatives, entitled "An act in addition to chapter one hundred and forty-five of the Revised Statutes of the State of New Hampshire," was read a first and second time.

Ordered, That the same be referred to the committee on In-

corporations.

The foregoing bill sent up from the House of Representatives, entitled "An act to alter the times of holding the Court of Probate in the county of Carroll," was read a first and second time.

Ordered, That the same be referred to the committee on the

Judiciary.

The foregoing bill sent up from the House of Representatives entitled "An act in amendment of the twenty-third chapter of the Revised Statutes," was read a first and second time.

Ordered, That it be referred to the committee on Claims.

Mr. Hoskins, from the standing committee on the Judiciary, to whom was recommitted the bill, entitled "An act in amendment of chapter one hundred and fifty and in addition to chapter one hundred and fifty-five of the Revised Statutes," reported the same in a new draft;

Which was read a first and second time. The local saw

On the question,

Shall it be read a third time? The state of gold and added to the affirmative.

Ordered, That it be read a third time to-morrow forenoon at ten o'clock.

On motion of Mr. Pease- dealer to strong a talenteet and lo

The Senate adjourned.

rsm nurses maser i the natures of the resent seems me in

WEDNESDAY, JUNE 21, 1843.

Mr. Swett, from the standing committee on Claims, to whom was referred the bill from the House, entitled "An act in amendment of the twenty-third chapter of the Revised Statutes," reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

Mr. Colby, from the standing committee on the Judiciary, to whom was referred the bill sent up from the House of Representatives, entitled "An act to alter one of the times of holding the Court of Probate in the county of Carroll," reported the same without amendment.

On the question,

Shall the bill be read a third time? I was lind gaiosprot an T

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

The Senate proceeded to the order of the day on the bill, entitled "An act in amendment of chapter 150, and in addition to chapter 155 of the Revised Statutes;"

Which was read a third time. In has saw S saturale be wall

On motion of Mr. Colby of beriefer ed it sail. , berelet

Mr. Hoskins, from the standing C. alder and noqu bial saw II Cowlorn whom whom was recommitted the bill, entitled "An act in amendment of

A message from the House of Representatives by their Clerk

"Mr. President—The House of Representatives have passed the following resolution, in which they ask the concurrence of the Honorable Senate, to wit:

"A resolution fixing on a day on which the business of the

present session may be brought to a close." at behineh akw il

The House concur with the Honorable Senate in the adoption of their ammendment to the resolution, authorizing the distribution of the Judicial Reports of this State to the Government of the United States and the several states and territories of this Union."

The foregoing resolution from the House of Representatives, fixing on a day on which the business of the present session may be brought to a close, having been read;

On motion of Mr. Warner— It was laid upon the table.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a resolution, relating to laws passed the present session in amendment of the Revised Statutes, in which they ask the concurrence of the Honorable Senate;"

Which resolution was read. had a best ed it lad T hereby On motion of Mr. Hoskins—

Ordered, That the Clerk notify the sldat and noque bial swall-On motion of Mr. Hale-

The Senate adjourned. A massage from the House of Representatives by their Clerk :

uves has signed a resolution relating to the distribution of they dudicial Reports of this State to the government of the United States, and the several so. ROONASTAA separated as correctly

"Mr. President The Spenker of the House of Representa-

On motion of Mr. Colby-

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of altering or amending the 4th and 5th sections of the forty sixth chapter of the Revised Statutes,

and that they report by bill or otherwise.

Mr. Colby from the joint standing committee on Engrossed Bills, reported that they had examined a resolution, directing the Secretary of State to furnish copies of the Judicial Reports of this State to the United States, and the several states and territories of this Union, and find the same correctly engrossed.

The Senate proceeded to the order of the day on the bill sent up from the House of Representatives, entitled, "An act to alter one of the times of holding the Court of Probate in the county of

Carroll;"

Which was read a third time.

The question being upon the passage of the bill;

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the bill sent up from the House, entitled "An act in amendment of the twenty third chapter of the Revised Statutes;"

Which was read a third time.

The question being upon the passage of the bill;

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Colby-

The Senate resumed the consideration of the bill, entitled "An act in amendment of chapter 150, and in addition to chapter 155 of the Revised Statutes."

The question being upon the passage of the bill.

Resolved, That it pass, and that its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The Speaker of the House of Representatives has signed a resolution relating to the distribution of the Judicial Reports of this State to the government of the United States, and the several states and territories, reported as correctly engrossed by the committee on Engrossed Bills."

Thereupon the President of the Senate signed said resolution, and the same was delivered to the committee on Engrossed Bills, to be laid before the Governor for his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the resolution, directing the Secretary of State to furnish the United States and the several states and territories of the Union with the judicial reports of this State, to His Excellency the Governor for his approval and signature.

On motion of Mr. Hatch— The Senate adjourned.

THURSDAY, JUNE 22, 1843.

A message from His Excellency the Governor, by Mr. Treadwell, Secretary of State:

"To the Senate and House of Representatives:

I herewith transmit the annual Report and return of the Adjutant General and Quartermaster General, which give an abstract of the number and condition of our militia for the present year, with an account of the ordnance, arms, equipments and other public property now in the charge of the Commissary General, and also an account of the present condition of the ordnance, arms, equipments and other public property now under the control of different companies and regiments, connected with the militia.

HENRY HUBBARD.

Council Chamber, June 21, 1843."

On motion of Mr. Colby and ladt bas seen it sail berlossa

Ordered, That it be referred to the committee on Military Affairs.

A message from His Excellency the Governor by Mr. Tread-well, Secretary of State.

" To the Senate and House of Representatives:

At the session of the Executive Department in June, 1842, Samuel Cushman of Portsmouth, James Foss of Greenland and James Burley of Exeter were appointed and commissioned in pursuance of the Resolve of the Legislature approved July 3, 1841, Trustees of the Exeter Savings Bank, and direction was given to said Trustees "to take possession of, and manage and close the entire concerns of said Institution, and to pay over the proceeds to the several depositors in proportion to their several deposites." The Trustees accepted the trust, and executed a sufficient bond for the faithful performance of their duty. I herewith transmit to the Legislature a communication received from said Trustees in relation to their doings, and giving an account of the expenses incurred. It has been stated to the Executive that the injunction awarded and issued against the Trustees of the Corporation had been dissolved by the Court in accordance with an arrangement made between the depositors and others concerned-and a sufficient bond was thereupon executed by said Trustees faithfully to distribute the amount in deposit to those to whom it justly belonged. I have considered it proper again to present this subject to your consideration, in order that any further proceedings may be directed if necessary to carry into effect the purpose designed-and if no further proceedings should be deemed important, the Legislature will consider the exhibit of expenses, and determine if any, and what further appropriations are required to compensate for the services and disbursements of those agents appointed as before stated. HENRY HUBBARD.

Council Chamber, June 22, 1843."

On motion of Mr. Colby-

Ordered, That the message be referred to the committee on Banks.

Mr. Colby, from the standing committee on the Judiciary to whom was referred certain resolutions of the Legislature of Massachusetts in relation to an amendment of the Constitution of the United States, made a report;

Whereupon—
Resolved, That the committee be discharged from the further consideration of the subject.

On motion of Mr. Colby vanelles M. of H mon appearant

The Senate resumed the consideration of the resolution from the House relating to laws passed the present session in amendment of the Revised Statutes; and the sarroll harn stones and all

Which was read a second time.

Mr. Colby moved to amend said resolution, by striking out all after the resolving clause, and insert-"That all bills, and the several sections thereof, which at the present session have been or shall be passed in addition to or in amendment of the Revised Statutes, shall, by the joint committee on Engrossed Bills, be consistently arranged, and with such merely verbal alterations as the new arrangement shall require, shall he engrossed as one bill, with notes in the margin thereof designating the chapter or section to which the addition or amendments apply; that the title of said engrossed bill shall be, 'An act in addition to and in amendment of the Revised Statutes of the State of New Hampshire; and that said bill being reported by the committee, and found by both Houses to be correctly engrossed, shall be signed by the presiding officers thereof, and then presented to the Governor for his approval."

On the question,

Shall the amendment be adopted? It was decided in the affirmative. One add supplied of whether

So the amendment was adopted. Mos with a bounded that deration, in order

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative. The state of the bearing to be a seen as

On motion of Mr. Hoskins-

Resolved, That the rules of the Senate be so far suspended, that the resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Hoskins-

The Senate resumed the consideration of the report of the joint select committee, to whom was referred the resolution fixing on a day when the business of the present session of the Legisture may be brought to a close; where and to be tretor as we conduct

Which was read.

On motion of Mr. Colby.—

On motion of Mr. Smith— The Senate adjourned.

bill cent un from the House of Repressi

AFTERNOON.

A message from His Excellency the Governor, by Mr. Tread-well, Secretary of State:

"To the Senate and House of Representatives:

I herewith transmit to the Legislature a communication which I have received from the State Treasurer, giving a statement of the condition of the treasury and his estimate of the probable disbursements at the treasury, between the present time and December, 1843, and also his estimate of the probable receipts and disbursements between December, 1843, and June 1, 1844.

HENRY HUBBARD.

Council Chamber, June 22, 1843."

On motion of Mr. Hoskins— Ordered, That it be referred to the committe on Claims.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed bills with the following titles, to wit:

"An act to provide for the appointment of an additional officer

in the company of Artillery in the third Regiment;"

"An act in addition to and in amendment of chapter 172 of the

Revised Statutes of the State of New Hampshire;"

"An act to incorporate the proprietors of the Great Falls and Conway Railroad," in which they ask the concurrence of the Honorable Senate.

The House concur with the Honorable Senate in the passage of a resolution, authorizing His Excellency the Governor to appoint an agent to conclude an arrangement for the arbitration of the case—State of New Hampshire vs. Gordon Burley."

The foregoing bill sent up from the House of Representatives,

entitled "An act to provide for the appointment of an additional officer in the company of artillery in the third Regiment;"

Was read a first and second time.

Ordered, That it be referred to the committee on Mititary Affairs.

The foregoing bill sent up from the House of Representatives, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire;"

Was read a first and second time.

Ordered, That it be referred to the committee on the Judicia-

ry.

The foregoing bill sent up from the House of Representatives, entitled "An act to incorporate the proprietors of the Great Falls and Conway Railroad;"

Was read a first time.

On motion of Mr. Hoskins—
It was laid upon the table.

On motion of Mr. Morrill-

The Senate adjourned.

FRIDAY, JUNE 23, 1843.

Mr. Warner, from the standing committee on Military Affairs, to whom was referred the bill from the House of Representatives, entitled "An act to provide for the appointment of an additional officer in the company of Artillery in the third Regiment," reported the same without amendment;

Which was read a first and second time.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

Mr. Pierce introduced the following resolution:

Resolved by the Senate and House of Representatives in General Court convened, That the jail in each county be furnished with a copy of the Revised Statutes for the use of the jailer, at the expense of the State, to be paid out of any money in the treasury not otherwise appropriated;

Which resolution was read a first and second time.

Ordered, That it be referred to the committee on Claims.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed bills with the following titles and the following resolution, in which they ask the concurrence of the Honorable Senate, to wit:

"An act to provide for the return of inventories;"

"An act in amendment of chapter 28 of the Revised Statutes;" A resolution in favor of Samuel D. Bell and Charles J. Fox.

The House concur with the Honorable Senate in the passage of a resolution, appointing Jacob C. Carter, Librarian for the year

ensuing.

The House concur with the Honorable Senate in the adoption of their amendment to the resolution in relation to the laws passed the present session in addition to and in amendment of the Revised Statutes."

The foregoing resolution sent up from the House of Representatives, in favor of Samuel D. Bell and Charles J. Fox,

Was read a first and second time.

Ordered, That it be referred to the committee on Claims.

The foregoing bill sent up from the House of Representatives, entitled "An act providing for the return of Inventories,"

Was read a first and second time.

Ordered, That it be referred to the committee on the Judi-

ciary.

The foregoing bill sent up from the House of Representatives, entitled "An act in amendment of chapter 28 of the Revised Statutes,"

Was read a first and second time.

Ordered, That it be referred to the committee on Elections.

On motion of Mr. Pease-

The Senate adjourned.

AFTERNOON.

On motion of Mr. Hale—

Resolved, That the Senate now have a recess until four o'clock this afternoon.

FOUR O'CLOCK, P. M.

Mr. Hale, from the standing committee on Elections, to whom was referred the bill, entitled "An act in amendment of chapter 28 of the Revised Statutes," reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at ten o'clock to-morrow forenoon.

Mr. Swett, from the standing committee on Claims, so whom was referred the resolution in relation to furnishing each jailer in this State with a copy of the Revised Statutes, reported the same in a new draft;

Which was read a first and second time.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at ten o'clock to-morrow forenoon.

The Senate proceeded to the order of the day on the bill, entitled "An act to provide for the appointment of an additional officer in the company of Artillery in the third Regiment;"

Which was read a third time.

The question being upon the passage of said bill,

But before it was taken,

On motion of Mr. Hoskins-

The bill was laid on the table.

On motion of Mr. Hoskins-

Hoskins— The Senate adjourned.

SATURDAY, JUNE 24, 1843.

. The Senate proceeded to the order of the day upon the resolution in relation to furnishing the Revised Statutes to each jailor in this State;"

Which was read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

The Senate proceeded to the order of the day on the bill, entitled "An act in amendment of chapter 28 of the Revised Statutes;"

Which was read a third time.

The question being upon the passage of said bill,

But before it was taken,
On motion of Mr. Warner—
It was laid upon the table.

Mr. Swett, from the standing committee on Claims, to whom was referred a resolution in favor of Samuel D. Bell and Charles J. Fox reported the same without amendment.

On motion of Mr. Smith—It was laid upon the table.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed bills with the following titles and the following resolutions, in which they ask the concurrence of the Honorable Senate, to wit:

"An act in amendment of the two hundred and fifteenth chapter

of the Revised Statutes;"

"An act in amendment of the two hundred and twenty-second

chapter of the Revised Statutes;"

"An act in favor of the Artillery company in the third Regiment N. H. Militia;"

"Sundry resolutions requiring the selectmen of towns to make school returns:

"A resolution prescribing the places of holding elections in the classed towns of Windsor and Bennington." was a moderated of T

The House have adopted a preamble and sundry resolutions relative to the Military Academy at West Point, in which ask the concurrence of the Honorable Senate.

The Speaker of the House of Representatives has signed the following resolutions, reported as correctly engrossed by the committee on Engrossed Bills:

"A resolution authorizing the Governor to appoint an agent with power to refer to arbitrators the suit of the State vs. Gordon

Burley;"

"A resolution appointing Jacob C. Carter Librarian for the ensuing year;

"A resolution in relation to the laws in amendment of the Revised Statutes."

The foregoing resolutions sent up from the House of Representatives requiring the selectmen of towns to make school returns.

Was read a first and second time.

Ordered, That the same be referred to the committee on Education.

The foregoing resolution sent up from the House, prescribing the places of holding elections in the classed towns of Windsor and Bennington,

Was read a first and second time.

Ordered, That it be referred to the committee on Elections. The foregoing bill sent up from the House of Representatives, entitled "An act in favor of the Artillery company in the third Regiment N. H. Militia,"

Was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The foregoing bill sent up from the House of Representatives, entitled "An act in amendment of the two hundred and twentysecond chapter of the Revised Statutes,"

Was read a first and second time.

Ordered, That it be referred to the committee on the Judi-

ciary.

The foregoing bill sent up from the House of Representatives, entitled "An act in amendment of the two hundred and fifteenth chapter of the Revised Statutes,"

Were read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

The foregoing preamble and resolutions sent up from the House of Representatives, relative to the Military Academy at West Point,

Were read a first and second time.

On motion of Mr. Hoskins-Were laid upon the table.

Mr. Smith, from the joint standing committee on Engrossed Bills, reported that they had carefully examined and found correctly engrossed the following resolutions:

"A resolution relative to Gordon Burley;"

"A resolution appointing Jacob C. Carter Librarian for the ensuing year;"

"A resolution relative to amendments of the Revised Statutes."

Thereupon the President of the Senate signed said resolutions and the same were delivered to the committee on Engrossed Bills to be laid before His Excellency, the Governor for his approval and signature.

A message from His Excellency the Governor by Mr. Treadwell, Secretary of State:

" To the Senate and House of Representatives:

On referring to the Journal of the last session, I observe that the House of Representatives voted that the consideration of the resolution, making an appropriation for the printing of the report upon the Geological and Mineralogical Survey of the State was postponed to the present session. Presuming that the subject will receive your attention before the close of your session, I have thought it advisable to transmit for your consideration extracts made from a communication which was received last evening from the State Geologist. They will aid the Legislature in their action upon this subject. I have reason to believe that he will be at the Capitol the early part of the next week, and will then, I trust, have prepared his final report upon the Geology and Mineralogy of the State, which I shall communicate to the Legislature as soon as it shall be received. The Geologist remarks that he hopes there will be no delay in the passage of the resolves as to the printing; for the maps and plates ought to be put into the hands of the engraver forthwith in order that they should be ready for the report. HENRY HUBBARD.

Council Chamber, June 24th, 1843."

Which having been read, On motion of Mr. Warner— It was laid upon the table. On motion of Mr. Hoskins—

The Senate resumed the consideration of the preamble and resolutions in relation to the West Point Military Academy,

Which were referred to the committee on Military Affairs.

On motion of Mr. Smith-

The Senate resumed the consideration of the resolution sent up from the House of Representatives, fixing upon a day on which the business of the present session may be brought to a close.

Mr. Smith moved to amend said resolution striking therefrom the words "Wednesday the 28th," and inserting instead thereof the words "Thursday the 29th."

On the question,

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution pass? The Route Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Smith, from the standing committee on the Judiciary, to whom was referred the bill sent up from the House of Representatives, entitled "An act providing for the return of Inventories," reported the same with the following amendments:

In the 19th line strike out "four years," and insert instead

thereof "fourth year;"

In the 23d line, strike out "years," and insert "year;"

In the 6th line section 3, strike out "four years," and insert instead thereof "fourth year;"

Which amendments were adopted.

On the question,

Shall the bill be read a third time?

It was decided in the affirmative.

On motion of Mr. Hoskins - O Spaces of the valeto on ad the

Resolved, That the rules of the Senate be so far suspended that said bill be read a third time at the present time.

Said bill was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Hoskins, from the standing committee on Incorporations, to whom was referred the bill sent up from the House of Representatives, entitled "An act in addition to chapter 145 of the Revised Statutes," reported a resolution;

On motion of Mr. Hatch-It was laid upon the table. On motion of Mr. Smith-

Resolved, That when the Senate adjourn this forenoon, it adjourn to meet on Monday forenoon at 11 o'clock.

On motion of Mr. Hatch-

The Senate adjourned.

the words Thursday Inc.

Shall the amendment be adopted

MONDAY, JUNE 26, 1843.

On motion of Mr. Smith-

The reading of the Journal was dispensed with for the present. Mr. Smith, from the joint committee on Engrossed Bills, reported that they had presented the following resolutions, by them found to be correctly engrossed, to His Excellency the Governor for his approval and signature, to wit:

A resolution relative to Gordon Burley;

A resolution appointing Jacob C. Carter Librarian;

A resolution relative to amendments of the Revised Statutes.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have passed bills with the following titles and the following address, in which they ask the concurrence of the Honorable Senate, to wit:

"An act in relation to the Judiciary;"

"An act in amendment of chapter 73 of the Revised Statutes;" "An address for the removal of certain military officers therein

named."

The House concur with the Honorable Senate in the passage of a bill entitled, "An act in amendment of chapter 150 and in addition to chapter 155 of the Revised Statutes."

The foregoing bill sent up from the House of Representatives, entitled "An act in relation to the Judiciary,"

. Was read a first and second time.

Ordered, That it be referred to the committee on the Judicia-

ry.

The foregoing bill sent up from the House of Representatives, entitled "An act in amendment of chapter 73 of the Revised Statutes,"

Was read a first and second time.

Ordered, That it be referred to the committee on Education.

The foregoing address sent up from the House of Representatives, entitled "An address for the removal of certain military officers therein named,"

Was read.

On motion of Mr. Hoskins

Resolved, That it pass.

On motion of Mr. Hoskins—

The Senate adjourned,

AFTERNOON.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of their amendment to the resolution, fixing upon a day when the business of the present session may be brought to a close, with an amendment, in which they ask the concurrence of the Honorable Senate."

Mr. Warner moved to amend said amendment, by striking out therefrom "Saturday the first day of July next," and inserting instead thereof "Friday the last day of June."

On the question,

Shall the amendment be adopted? It was decided in the negative.

So the amendment was not adopted.

The question being upon the adoption of the amendment sent up from the House of Representatives;

On the question, Shall it be adopted?

It was decided in the affirmative.

So the amendment sent up from the House was adopted.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a resolution in favor of George McDaniel and Ebenezer Glines, in which they ask the concurrence of the Honorable Senate;"

Said resolution having been read, On motion of Mr. Hoskins—

It was laid upon the table.

Mr. Smith, from the select committee, to whom was referred the message of His Excellency the Governor, accompanying the report and resolutions of the legislature of New Jersey embracing the subject of repudiation, reported a preamble and resolutions;

Which were read.

Resolved, That they pass.
On motion of Mr. Hoskins-

The Senate resumed the consideration of the resolution in favor of George McDaniel and Ebenezer Glines;

Which was read a second time.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

On motion of Mr. Hoskins-

Resolved, That the Rules of the Senate be so far suspended, that said resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Hoskins-

The vote upon the passage of said resolution was reconsidered.

On motion of Mr. Warner-

Ordered, That it be referred to the committee on Claims.

Mr. Hale, from the standing committee on Elections, to whom was referred the resolution sent up from the House of Representatives, prescribing the places of holding elections in the classed towns of Windsor and Bennington, reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative. So the resolution was read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Hatch-

The Senate resumed the consideration of the resolution of the standing committee on Incorporations, to whom was referred the bill sent up from the House of Representatives, entitled "An act in addition to chapter 145 of the Revised Statutes."

Whereupon-

Resolved, That the further consideration of the bill be indefinitely postponed.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Morrill, from the standing committee on Education, to whom was referred the resolution sent up from the House, "requiring the selectmen of towns to make school returns," made a report,

Whereupon-

Resolved, That the further consideration of the same be indefinitely postponed.

Ordered, That the Clerk notify the House of Representatives

accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have passed bills with the following titles, and the following resolution, in which they ask the concurrence of the Honorable Senate, to wit :

"An act in amendment of chapter 71 of the Revised Statutes;" "An act to annex James Ferrin of Freedom, to school district

No. 4, in Eaton;"

"An act to annex Robert Hopkins of Windham to school district No. 5, in Derry;"

"An act to alter the names of certain persons;"

"An act in favor of the Dover Artillery Company;"

"An act in favor of the Artillery Company, in the 28th regiment;"

"An act in addition to, and in amendment of Title XII and chapter 76 of the Revised Statutes;"

A resolution in favor of Benjamin Stevenson and John F. Holt."

The foregoing bill sent up from the House of Representatives, entitled "An act in amendment of chapter 71, of the Revised Statutes,"

Was read a first and second time.

Ordered, That it be referred to the committee on Education. The foregoing bill sent up from the House of Representatives,

entitled "An act to annex James Ferrin of Freedom to school district No. 4, in Eaton,"

Was read a first and second time.

Ordered, That it be referred to the committee on Education. The foregoing bill sent up from the House of Representatives entitled "An act in favor of the Dover Artillery Company,"

Was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The foregoing bill from the House of Representatives, entitled "An act to annex Robert Hopkins of Windham to School District No. 5. in Derry,"

Was read a first and second time.

Ordered, That it be referred to the committee on Education. The foregoing bill sent up from the House entitled "An act in addition to, and in amendment of Title XII and chapter 76 of the Revised Statutes,"

Was read a first and second time.

Ordered, That it be referred to the committee on Military Af-

The foregoing bill sent up from the House of Representatives, entitled "An act to alter the names of certain persons,"

Was read a first and second time.

Ordered, That it be referred to the committee on Education. The foregoing bill sent up from the House entitled "An act in tayor of the Artillery company in the twenty-eighth Regiment,"

Was read a first and second time.

Ordered, That it be referred to the committee on Military Af-

The foregoing "resolution in favor of Benjamin Stevenson and John F. Holt,"

Was read a first and second time.

Ordered, That it be referred to the committee on Claims.

On motion of Mr. Warner—

The Senate adjourned.

TUESDAY, JUNE 27, 1843.

Mr. Swett, from the standing committee on Claims, to whom was referred the resolution in favor of George McDaniel and William Glines, reported the same without amendment.

Resolved, That it pass.
Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Warner, from the select committee, to whom was referred so much of His Excellency's message as relates to the State Prision, made a report.

On motion of Mr. Colby-

The report of said committee was accepted.

Mr. Warner, from the joint standing committee on the State House and State House Yard, reported a resolution appointing William Fisk, keeper of the State House and State House Yard;

Which was read a first and second time.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

On motion of Mr. Pease-

The Senate resumed the consideration of the bill from the House, entitled "An act to incorporate the proprietors of the Great Falls and Conway Railroad;"

Which was read a second time.

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

On motion of Mr. Hoskins-

The Senate resumed the consideration of the resolution from the House "in favor of Samuel D. Bell and Charles J. Fox."

On the question,

Shall it be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

Mr. Colby, from the standing committee on the Judiciary, to whom was referred the bill sent up from the House, entitled "An act in amendment of the 222nd chapter of the Revised Statutes," reported the following resolution:

Resolved, That the further consideration of said bill be indefinitely postponed.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Ordered. That the Clerk notify the House of Representatives

accordingly.

Mr. Colby, from the same committee, to whom was referred the bill from the House, entitled "An act in amendment of chapter 215 of the Revised Statutes," reported the following resolution:

Resolved, That the further consideration of said bill be indefinitely posponed.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Pierce-

The Senate adjourned. It believes as with

AFTERNOON.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have passed a bill with the following title, in which they ask the concurrence of the Honorable Senate, to wit:

"An act in relation to Banks and Banking."

The Speaker of the House has signed a "resolution in favor of George McDaniels and Ebenezer Glines," reported as correctly engrossed by the committee on Engrossed Bills."

The foregoing bill, sent up from the House of Representatives, entitled "An act in relation to Banks and Banking,"

Was read a first and second time.

Ordered, That it be referred to the committee on Banks.

The Senate proceeded to the order of the day upon the resolution in favor of Samuel D. Bell and Charles J. Fox;"

Which was read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

The Senate proceeded to the order of the day on the resolution, appointing William Fisk, keeper of the State House and State House Yard for the year ensuing;

Which was read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Colby, from the standing committee on the Judiciary, to whom was referred the bill, sent up from the House of Representatives, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes," reported the same with the following amendments:

Strike out all after the enacting clause except the 3d section; Also, strike out the first seven lines of the third section and in-

sert;

"That in all cases in which questions have been or hereafter shall be reserved and assigned to the Superior Court, agreeably to the provisions of the eighth section of chapter 172 of the Revised Statutes of the State of New Hampshire, the Superior Court in addition the power now vested in them,"

And at the end of the section addreported that they had exan

"And in case such judgment shall be for the plaintiff, any property attached on his writ shall be holden until the expiration of thirty days from the actual term of the issuing of the execution agreeably to said order."

On the question,

Shall the foregoing amendments be adopted?

It was decided in the affirmative. So the amendments were adopted. On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time at ten o'clock to-morrow forenoon.

Mr. Hoskins, from the standing committee on Military Affairs, to whom was referred the bill from the House of Representatives, entitled "An act in addition to and amendment of Title twelve, chapter seventy-six of the Revised Statutes," reported the same with the following amendment:

Strike out all after the enacting clause and insert-

"That the attendants upon the insane, employed in the New Hampshire Asylum for the Insane, be, and they are hereby exempt from the performance of military duty, upon the same conditions as the first class of exempts, specified in the second section of the seventy-sixth chapter of the Revised Statutes;"

Which having been read,

On the question,

Shall the amendment be adopted? It was decided in the affirmative. So the amendment was adopted.

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time to-morrow forenoon at 10 o'clock.

Mr. Colby, from the standing committee on Military Affairs, to whom was referred the bill from the House, entitled "An act in favor of the Artillery company in the 3d Regiment N. H. Militia," reported the same without amendment.

On the question,

Shall the bill be read a third time? It was decided to the affirmative.

Ordered, That it be read a third time at ten o'clock to-morrow. Mr. Coiby, from the standing committee on Engrossed Bills, reported that they had examined a resolution in favor of George · McDaniel and Ebenezer Glines, and find the same to be correct-

ly engrossed.

Thereupon, the President of the Senate signed said resolution, and the same was delivered to the committee on Engrossed Bills, to be laid before the Governor for his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the foregoing resolution, reported by them as correctly engrossed, to His Excellency the Governor for his approval and signature.

On motion of Mr. Hoskins-

Resolved, That the rules of the Senate be so far suspended that all bills which will be in order for a third reading to-morrow forenoon at ten o'clock be read a third time at the present time.

Bills with the following titles were severally read a third time

and passed, to wit:

"An act in favor of the Artillery company in the third Regi-

ment N. H. Militia;"

"An act in addition to and amendment of title twelve and chapter 76 of the Revised Statutes;"

"An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire."

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Warner, from the standing committee on Military Affairs, to whom was referred the bill, entitled "An act in favor of the Dover Artillery company," reported the same without amendment.

On the question,

Shall it be read a third time? It was decided in the affirmative.

Ordered, That the same be read a third time at ten o'clock

to-morrow forenon.

Mr. Warner, from the same committee, to whom was referred the bill from the House of Representatives, entitled "An act in favor of the Artillery company in the twenty-eighth Regiment," reported the same without amendment.

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time to-morrow forenoon at ten o'clock.

Mr. Colby, from the standing committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of altering or amending the 4th and 5th sections of the forty-sixth chapter of the Revised Statutes," reported the following resolution:

Resolved, That the committee be discharged from the further

consideration of the subject.

Which was adopted.

Mr. Hoskins offered a resolution, directing the Clerk to procure seventy-five printed copies of the report of the select committee to whom was referred so much of the message of His Excellency the Governor as relates to the State Prison for the use of the Senate.

Mr. Smith moved to amend said resolution by striking out the

words "seventy-five" and inserting instead thereof fifty.

On the question being put,

Shall the amendment be adopted? It was decided in the affirmative. So the amendment was adopted.

Resolved, That the resolution pass as amended.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives concur with the Honorable Senate in the adoption of their amendments to the bill, entitled "An act providing for the return of inventories."

The House have passed a resolution, appointing William Fisk keeper of the State House and State House Yard for the ensuing year, in which they ask the concurrence of the Honorable Sen-

The foregoing resolution sent up from the House of Representatives, appointing William Fisk keeper of the State House and State House Yard for the ensuing year,

Was read a first and second time.

On the question,

Shall it be read a third time? It was decided in the affirmative.

On motion of Mr. Warner-

Resolved, That the rules of the Senate be so far suspended, that it be read a third time at the present time.

The resolution was accordingly read a third time.

Resolved, That it pass.
Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Morrill, from the standing committee on Education, to whom was referred the bill sent up from the House of Representatives, entitled "An act in amendment of chapter seventy-three of the Revised Statutes," reported the same without amendment.

On the question,

Shall it be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time to-morrow forenoon at ten

o'clock.

Mr. Hoskins, from the standing committee on the Judiciary, to whom was referred the bill from the House of Representatives, entitled "An act in relation to the Judiciary," reported the same without amendment.

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time at ten o'clock to-mor-

row forenoon.

Mr. Swett, from the standing committee on Banks, to whom was referred the bill from the House, entitled "An act in relation to Banks and Banking," reported the same without amendment.

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time at ten o'clock to-morrow

A message from the House of Representatives by their Clerk:

"Mr. President-The Speaker of the House of Representatives has signed "An address in favor of the removal of certain military officers therein named," and a resolution relating to the choice of representatives from the classed towns of Windsor and Bennington, reported as correctly engrossed by the committee on Engrossed Bills."

Mr. Colby from the joint standing committee on Engrossed Bills, reported that they had examined, and found to be correctly engrossed, "An address in favor of the removal of certain military officers therein named,"-also a resolution in relation to the choice of representatives from the classed towns of Windsor and Bennington.

Thereupon the President of the Senate signed said address and resolution, and the same was delivered to the committee on Engrossed Bills, to be laid before the Governor for his approval

and signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the aforesaid address and resolution by them reported as correctly engrossed, to His Excellency the Governor for his approval and signature.

On motion of Mr. Hale-

The Senate adjourned.

y, to whom was referred the bill from the House of Represencurves, settled SAn act on relation of the Judiciary, reported

WEDNESDAY, JUNE 28, 1843.

The Senate proceeded to the order of the day on bills with the following titles:

"An act in favor of the Dover Artillery Company;"

"An act in favor of the Artillery company in the twenty-eighth

Which were severally read a third time.

Resolved, That they pass, and that their titles be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

The Senate proceeded to the order of the day on the bill sent up from the House of Representatives, entitled, "An act in relation to the Judiciary;"

Which was read a third time. On motion of Mr. Colby—

It was laid on the table.

Mr. Colby presented the petition of Sarah Livermore and others, to be incorporated as the Concord Female Charitable Society;

Which was read.

Ordered, That it be referred to the committee on Incorporations.

The Senate proceeded to the order of the day on the bill sent up from the House of Representatives, entitled "An act in amendment of chapter 173 of the Revised Statutes;"

Which was read a third time.

On the question, Shall the bill pass?

Mr. Warner demanded the yeas and nays.

Those who voted in the affirmative, were Messrs. Hatch, Morrill, Hale and Pease.

Those who voted in the negative, were Messrs. Pierce, Brown, Hoskins, Carpenter, Smith, Swett and Warner.

Yeas 4-Nays 7.

So the bill was rejected.

Ordered, That the Clerk notify the House of Representatives

Mr. Smith, from the standing committee on Banks, to whom accordingly. was referred the message of His Excellency the Governor, with the reports of the Bank Commissioners and Cashiers' returns, made a report.

On motion of Mr. Smith-

It was laid upon the table and the Clerk was directed to procure

fifty printed copies of the same for the use of the Senate.

Mr. Swett, from the standing committee on Claims, to whom. was referred the resolution sent up from the House, in favor of Benjamin Stephenson and John F. Holt, reported the same without amendment.

Shall the resolution be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this af-

On motion of Mr. Hatch-

Shall the bill be read a third time?

I'hat the same be read a third time at reprofetori

Mr. Warner, 18th. file. ROONTATA Solutions in relation to

It was decided in the affirmative.

the Military Academy at West Point, reported the same without The Senate proceeded to the order of the day on the resolution in favor of Benjamin Stephenson and John F. Holt; deas Which was read a third time. Then the O all tail I hereby

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly. He all crowl the bill from the He. He.

On motion of Mr. Warner-

Resolved, That the standing committee on the Judiciary be instructed to inquire into the expediency of amending the 5th section of chapter thirty-nine of the Revised Statutes of the State of New Hampshire.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have passed a resolution in favor of the estate of George W. Bagley, in which they ask the concurrence of the Honorable Senate."

The House concur with the Honorable Senate in their amendment to a bill entitled, "An act in addition to and in amendment of title twelve and chapter seventy-six of the Revised Statutes."

The foregoing resolution in favor of the estate of George W. Bagley, sent up from the House of Representatives,

Was read a first and second time.

Ordered, That it be referred to the committee on Claims.

Mr. Hoskins, from the standing committee on Incorporations, to whom was referred the petition of Sarah Livermore and others, reported a bill entitled "An act to incorporate the Concord Female Charitable Society;"

Which was read a first and second time.

On motion of Mr. Hoskins-It was laid upon the table.

Mr. Morrill, from the standing committee on Education, to whom was referred the bill sent up from the House of Representatives, entitled "An act to annex James Ferrin of Freedom to school district numbered 4, in Eaton," reported the same without amendment.

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Ordered, That the same be read a third time at ten o'clock

to-morrow forenoon.

Mr. Warner, from the standing committee on Military Affairs, to whom was referred the preamble and resolutions in relation to the Military Academy at West Point, reported the same without amendment.

Resolved, That they pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Pierce, from the standing committee on Roads, Bridges and Canals, to whom was referred the bill from the House of Representatives, entitled "An act to incorporate the proprietors of the Great Falls and Conway railroad," reported the same without

Mr. Hoskins moved the indefinite postponement of the bill.

But before the question was taken, Mr. Hoskins withdrew his motion.

On motion of Mr. Colby-

It was laid upon the table.

A message from the House of Representatives by their Clerk:

"Mr. President—The Speaker of the House of Representatives has signed the following bill and resolutions, reported as correctly engrossed by the committee on Engrossed Bills.

"An act in favor of the Artillery company in the third Regiment

of the N. H. Militia;"

A resolution in favor of Samuel D. Bell and Charles J. Fox; A resolution appointing William Fisk to take charge of the State House and State House Yard the ensuing year."

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had carefully examined the aforesaid bill and resolutions and found the same to be correctly engrossed.

Thereupon the President signed said bill and resolutions, and the same were delivered to the committee on Engrossed Bills to be laid before His Excellency the Governor for his approval and

signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the aforesaid bill and resolutions, by them reported to be correctly engrossed, to His Excellency the Governor for his approval and signature.

A message from the House of Representatives by their Clerk:

"Mr. President—The Speaker of the House of Representatives has signed bills with the following titles, reported as correctly engrossed by the committee on Engrossed Bills:

"An act in favor of the Dover Artillery company;"

"An act in relation to Banks and banking;"

"An act providing for the return of inventories;"

"An act in favor of the Artillery company in the twenty-eighth Regiment."

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had carefully examined the aforesaid bills and found the same to be correctly engrossed.

Thereupon the President signed said bills, and the same were delivered to the committee on Engrossed Bills to be laid before His Excellency the Governor for his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had presented the aforesaid bills, by them

reported to be correctly engrossed, to His Excellency the Governor for his approval and signature.

On motion of Mr. Morrill o swoll all mort sassan A

The Senate adjourned. · "Mr. President -- The Speaker of the House of Represent

"An act in favor of the Artiflery company in the third Regiment

correctly engrossed by the committee on Engressed Bills.

THURSDAY, JUNE 29, 1843. liam hist to take charge of the State

The Senate proceeded to the order of the day on the bill from the House of Representatives, entitled "An act to annex James Ferrin of Freedom to school district No. 4, in the town of Eareported that they had carefully examined the aloresass; not

Which was read a third time. " and bound box another as be

Resolved, That it pass. se beny a monitorial out noquered l

Ordered, That the Clerk notify the House of Representatives accordingly; still to rome very bul your leaved ail stoled bist ad

Mr. Swett, from the standing committee on Claims, to whom was referred the resolution in favor of the estate of George W. Bagley, reported the same without amendment.

On the question, Who are of of horough made yet, snothloses

Shall the resolution be read a third time? 2000 and venelleox?

It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

On motion of Mr. Colby-

The Senate resumed the consideration of the bill from the House of Representatives, entitled "An act in relation to the Judiciary."

Resolved, That it pass and that its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Morrill, from the standing committee on Education, to whom was referred the bill from the House of Representatives, entitled "An act in amendment of chapter 71 of the Revised Statutes," reported the following resolution:

Resolved, That the further consideration of said bill be indefi-

nitely postponed.

On the question,

Shall the resolution pass?

It was decided in the affirmative. More and money well and

So the resolution was adopted: " bad yadt todd barrogen affile

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed bills with the following titles and the following resolutions, in which they ask the concurrence of the Honorable Senate, to wit:

"An act in amendment of the thirty-ninth chapter of the Re-

vised Statutes; "mis O Lanislao H. goword Spess T

"An act in amendment of the forty-fourth section in chapter one hundred and forty of the Revised Statutes of the State of New Hampshire;" "A section in chapter one hundred and forty of the Revised Statutes of the State of New Hampshire;" "A section in chapter one hundred and the section in chapter one hundred and the section in chapter one hundred and section in chapter one hundred and forty of the Revised Statutes of the State of New Hampshire;" "A section in chapter one hundred and forty of the Revised Statutes of the State of New Hampshire;" "A section in chapter one hundred and forty of the Revised Statutes of the State of New Hampshire;" "A section in chapter one hundred and forty of the Revised Statutes of the State of New Hampshire;" "A section in chapter one hundred and forty of the Revised Statutes of the State of New Hampshire;" "A section in the State of New Ham

"An act in amendment of chapter two hundred and twentyeight of the Revised Statutes of the State of New Hampshire;"

"An act in favor of Jeremiah C. Tilton;" a 1870 a bash as Vi

A resolution in favor of Benaiah Cook; ed it isd I harry of

A resolution in favor of Josiah B. Wiggin and Ira R. Philbrick;
A resolution in favor of Lucinda C. Given:

Resolutions in relation to the assumption and repudiation of State debts.

The House non-concur with the Honorable Senate in the adoption of their amendment to a bill, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," and ask for a conference with the Senate thereon, and have on their part appointed Messrs. Hibbard, Peirce of Dover and Clark of Manchester a committee of conference:

The foregoing bill from the House, entitled "An act in amendment of the 29th chapter of the Revised Statutes,"

Was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

The foregoing bill, sent up from the House of Representatives, entitled "An act in amendment of the 44th section of chapter 140

of the Revised Statutes of the State of New Hampshire,"

Was read a first and second time.

Ordered, The same be referred to the committee on Banks.
The foregoing bill, from the House, entitled "An act in addi-

tion to chapter 228 of the Revised Statutes,"

Was read a first and second time.

Mr. Warner moved that it be referred to the committee on the Judiciary, as Muladi on signed and beingons mountained

But before the question was put,

Mr. Smith moved the indefinite postponement of the bill.

On the question being put, It was decided in the negative.

The question recurring on the motion of Mr. Warner to refer to the committee on the Judiciary,

Mr. Pease demanded the yeas and nays.

Those who voted in the affirmative were Messrs Colby, Smith and Warner—3.

Those who voted in the negative were Messrs. Hatch, Morrill, Hale, Pierce, Pease, Brown, Hoskins, Carpenter and Swett —9.

So the motion did not prevail.

Ordered, That it be referred to the committee on Claims.

The foregoing bill sent up from the House of Representatives, entitled "An act in favor of Jeremiah C. Tilton,"

Was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

The foregoing resolution sent up from the House in favor of Benaiah Cook,

Was read a first and second time.

Ordered, That it be referred to the committee on Printers' Accounts.

The foregoing resolution sent up from the House of Representatives, in favor of Josiah B. Wiggin and Ira R. Philbrick,

Was read a first and second time.

Ordered, That it be referred to the committee on Claims.

The foregoing resolution sent up from the House, in favor of Lucinda C. Given,

Was read a first and second time.

Ordered, That it be referred to the committee on the Judicia-

ry.

The foregoing resolutions sent up from the House of Representatives, in relation to the assumption and repudiation of State debts,

Were severally read.

On motion of Mr. Hoskins-

Resolved, That they be laid upon the table.

On motion of Mr. Hatch-

Resolved, That the Senate concur with the House of Representatives in the appointment of a committee of conference, upon the subject of a disagreement between the two branches, relative to the amendment adopted by the Senate to the bill entitled "An

act in addition to and in amendment of chapter 172 of the Revised

Statutes of the State of New Hampshire."

Ordered, That Messrs. Colby, Hoskins and Smith constitute the committee of conference on the part of the Senate, upon the subject of the disagreement of the two branches of the Legislature, relative to the adoption of the amendment of the Senate to the bill from the House in relation to chapter 172 of the Revised Statutes of the State of New Hampshire.

Mr. Morrill, from the standing committee on Education, to whom was referred the bill from the House, entitled "An act for the al-

teration of names," reported the same without amendment.

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

Mr. Warner, from the standing committee on Military Affairs, to whom was referred the message of His Excellency the Governor, accompanied by the abstract of the annual return of the militia of the State of New Hampshire for the year eighteen hundred and forty-three, with the report of the Adjutant and Quarter Master General, reported the following resolution:

Resolved, That the message of His Excellency the Governor, and the accompanying reports, be filed in the office of the Secre-

tary of State;

Which passed.

On motion of Mr. Colby-

The Senate adjourned.

AFTERNOON.

Mr. Hoskins, from the standing committee on the Judiciary, to whom was referred the bill from the House of Representatives, entitled "An act in amendment of chapter 39 of the Revised Statutes," reported the same without amendment.

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time to-morrow at ten o'clock in the forenoon.

Mr. Swett, from the standing committee on Claims, to whom

was referred the bill from the House of Representatives, entitled "An act in amendment of chapter 228 of the Revised Statutes of the State of New Hampshire," reported the same with the following amendment: lowing amendment: In the 5th line, strike out "two dollars and fifty cents" and in-

sert "three dollars." manage of to governos ent of symbol struct

on the question, garagin of noticier absences self mon it degli

Shall the amendment be adopted? It was decided in the affirmative. So the amendment was adopted. and more that ado beyond a gow

Mr. Hoskins proposed further to amend the bill, by adding

thereto the following section:

Section - And be it further enacted, That the judges of probate for the several counties in this State be, and they hereby are allowed in full for their services, the sum of three dollars per day for every day they shall be actually engaged in the discharge of the duties of their said offices, and ten cents per mile for their travel to and from the place of holding their several courts; and that section 12 of chapter 228 of the Revised Statutes of this State, be and the same is hereby repealed.

Mr. Hoskins demanded the yeas and nays on said amendment. Those who voted in the affirmative, were Messrs. Colby,

Brown, Hoskins, Smith and Warner-5.

Those who voted in the negative, were Messrs. Hatch, Morrill, Hale, Pierce, Pease, Carpenter and Swett-7.

So the amendment was rejected.

Mr. Warner moved to lay the bill upon the table.

On the question,

Shall the bill be laid upon the table?

It was decided in the negative.

Mr. Hoskins proposed to amend the foregoing bill, by inserting

the following section:

Section - And be it further enacted, That the judges of the circuit court of common pleas be, and they hereby are allowed the sum of four dollars and fifty cents per day, for each and every day they are actually engaged in the discharge of the duties of their said offices, and ten cents per mile travel, to and from the place of holding the said several terms of the circuit court of common pleas, which said payment shall be in lieu and instead of the salary fixed by section 7 chapter 228 of the Revised Statutes of this State.

On the question, one-or man, and a best ed it and I always

Shall the amendment be adopted?

Mr. Warner demanded the yeas and nays and more along a series and

Those who voted in the affirmative, were Messrs. Colby, Brown, Hoskins, Smith and Warner—5.

Those who voted in the negative, were Messrs. Hatch, Mor-

rill, Hale, Pierce, Pease, Carpenter and Swett-7.

. So the amendment was rejected.

Mr. Smith moved to lay the bill upon the table.

On the question,

Shall the bill be laid upon the table?

Mr. Warner demanded the yeas and nays.

Those who voted in the affirmative, were Messrs. Colby, Brown, Hoskins, Smith and Warner—5.

Those who voted in the negative, were Messrs. Hatch, Morrill, Hale, Pierce, Pease, Carpenter and Swett-7.

So the motion to lay on the table did not prevail.

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time to-morrow forenoon at 10 o'clock.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed an address in favor of the removal of certain officers therein named, in which they ask the concurrence of the Honorable Senate;"

Which was read.

Ordered, That it be referred to the committee on Military Affairs.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a bill entitled, An act for the further encouragement of Education," in which they ask the concurrence of the Honorable Senate:"

The foregoing bill sent up from the House of Representatives entitled "An act for the further encouragement of Education,"

Was read a first and second time.

Ordered, That the same be referred to the committee on Education.

Mr. Smith, from the standing committee on the Judiciary, to whom was referred the bill from the House, entitled "An act in

favor of Jeremiah C. Tilton," reported the same without amend-

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time at ten o'clock to-more

row forenoon.

Mr. Pease, from the standing committee on Printers' Accounts, to whom was referred a resolution in favor of Benaiah Cook, reported the same witout amendment.

On the question,

Shall it be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time at ten o'clock to-morrow forenoon.

Mr. Swett, from the standing committee on Claims, to whom was referred the resolution in favor of Josiah B. Wiggin and Ira R. Philbrick, reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time to-morrow forenoon at

ten o'clock.

Mr. Morrill, from the standing committee on Education, to whom was referred the bill, entitled "An act to annex Robert Hopkins of Windham to school district No. 5 in Derry," reported the same without amendment.

On the question,

Shall it be read a third time? It was decided in the affirmative.

Ordered, That it be read a third time at ten o'clock to-morrow

forenoon.

The Senate proceeded to the order of the day on the bill, from the House of Representatives, entitled "An act to alter the names of certain persons;"

Which was read a third time.

Resolved, That it pass and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives

accordingly.

The Senate proceeded to the order of the day on the resolution from the House of Representatives, in favor of the estate of George W. Bagley;

Which was read a third time.

· Resolved, That it pass. I sale more lide on bornelen as w moder

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Colby, from the standing committee on the Judiciary, to whom was referred the resolution in favor of Lucinda C. Given, reported the same with the following amendment:

Strike out all after the resolving clause and insert instead there-

of,

"That the State Treasurer be and he is hereby authorized to convey by quit-claim deed to Lucinda C. Given, wife of Joseph M. Given of Hanover, in the county of Grafton and State of New Hampshire, all the right and title the said State of New Hampshire has in and to a certain parcel or tract of land situate in Hanover aforesaid, it being the same land conveyed to the State of New Hampshire by Ebenezer Symmes of said Hanover, as will appear by his deed of warrantee to said State, May 22, A. D. 1830, on condition that the said Lucinda C. Given pay or cause to be paid into the Treasury of the State the sum of fifteen dollars on the delivery of said deed."

On the question,

Shall the amendment be adopted? It was decided in the affirmative. So the amendment was adopted.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.
On motion of Mr. Warner—

Resolved, That the Rules of the Senate be so far suspended, that the resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Hoskins-

Resolved, That the Senate have a recess until half past 5 o'clock, P. M.

HALF PAST FIVE O'CLOCK, P. M.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed bills with the following titles and the following resolutions, in which they ask the concurrence of the Honorable Senate, to wit: "An act to incorporate the Northern railroad company;"

"An act to incorporate the Piscataquog railroad company;"

"An act to prevent small pox by vaccination;" And the

"An act in addition to the 49th chapter of the Revised State utes;"

"An act in amendment of chapter 113 of the Revised Statutes;"

"An act to amend and explain the third section in the two hundred and twenty-fifth chapter of the Revised Statutes;"

"An act in amendment of the one hundred and forty-sixth chapter of the Revised Statutes of the State of New Hampshire;"

"An act to incorporate the proprietors of the Nashville and

East Wilton railroad;"

"An act in amendment of the fifth section of the one hundredth chapter of the Revised Statutes;"

"An act making appropriations for the Militia of this State for

the year 1843;"

"An act relating to Manufacturing corporations;" and blood of

"An act in amendment of chapter one hundred and seventeen of the Revised Statutes;"

Resolutions relating to the imprisonment of citizens of this State in other States;

A resolution authorizing the Treasurer to borrow money;

A resolution directing the Adjutant General to adjust the claim of the officers of the Dover Artillery company;

A resolution authorizing the Governor to employ a chaplain for

the State Prison and making an appropriation therefor;

A resolution in favor of Ira B. Hoit, S. W. Dearborn, James Burley and James Foss;

A resolution in favor of Harry Hibbard, Joel Parker and John

F. Brown;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow; A resolution in favor of the Boscawen Artillery company."

The foregoing bill, sent up from the House of Representatives, entitled "An act to prevent small pox by vaccination,"

Was read a first and second time.

Ordered, That it be referred to the committee on Agriculture and Manufactures.

The foregoing bill, sent up from the House, entitled "An act in addition to the 49th chapter of the Revised Statutes,"

Was read a first and second time.

Ordered, That it be referred to the committe on Roads, Bridges and Canals.

The foregoing bills with the following titles:

An act in amendment of chapter 113 of the Revised Statutes;"

"An act to amend and explain the third section in the two hundred and twenty-fifth chapter of the Revised Statutes;"

"An act in amendment of chapter one hundred and seventeen of the Revised Statutes;"

Were severally read a first and second time.

Ordered, That they be referred to the committee on the Judi-

ciary.

The foregoing bill sent up from the House entitled "An act in amendment of the one hundred and forty-sixth chapter of the Revised Statutes of the State of New Hampshire,"

Was read a first and second time.

Ordered, That it be referred to the committee on Incorpora-

The foregoing bill, entitled "An act in amendment of the fifth section of the one hundredth chapter of the Revised Statutes,"

Was read a first and second time.

Ordered, That it be referred to the committee on Agriculture and Manufactures.

The foregoing bill, entitled "An act relating to Manufacturing corporations,"

Was read a first and second time.

Ordered, That it be referred to the committee on Incorpora-

The foregoing bill from the House of Representatives, entitled "An act making appropriations for the Militia of this State for the year 1843,"

Was read a first and second time.

Ordered, That it be referred to the committee on Military Affairs.

The foregoing resolutions, from the House, relating to the imprisonment of citizens of this State in other States,"

Was read a first and second time.

Ordered, That it be referred to the committee on the Judiciary.

The foregoing resolutions sent up from the House of Representatives, to wit:

A resolution directing the Adjutant General to adjust the claim of the officers of the Dover Artillery company;

A resolution in favor of the Boscawen Artillery company;

Were severally read a first and second time.

Ordered, That the same be referred to the committee on Miti-tary Affairs.

The foregoing resolutions sent up from the House of Representatives, to wit:

A resolution authorizing the Treasurer to borrow-money;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow; A resolution in favor of Harry Hibbard, Joel Parker and John

F. Brown;

Were severally read a first and second time.

Ordered, That they be referred to the committee on Claims.

The foregoing resolution from the House, in favor of Ira B.

Hoitt, S. W. Dearborn, James Burley and James Foss,

Was read a first and second time.

Ordered, That it be referred to the committee on Banks.

The foregoing resolution from the House authorizing the Governor to employ a Chaplain for the State Prison, and making an appropriation therefor,

Was read a first and second time.

Ordered, That it be referred to the select committee on so much of the message of His Excellency the Governor as relates to the State Prison.

On motion of Mr. Hoskins-

The Senate adjourned.

FRIDAY, JUNE 30, 1843.

The Senate proceeded to the consideration of the bills from the House of Representatives, with the following titles:

"An act to incorporate the Piscataquog Railroad company;"
"An act to incorporate the proprietors of the Nashville and
East Wilton Railroad;"

"An act to incorporate the Northern Railroad company."

On motion of Mr. Warner-

Resolved, That the rules of the Senate be so far suspended that said bills be read a first and second time by their titles.

So the bills were read a first and second time.

Ordered, That they be referred to the committee on Roads,

Bridges and Canals.

The Senate proceeded to the order of the day, on the bills with the following titles, and the following resolutions sent up from the House.

An act to annex Robert Hopkins of Windham to school district No. 5, in Derry;"

"An act to amend the 39th chapter of the Revised Statutes;"

"An act in favor of Jeremiah C. Tilton;"

A resolution in favor of Josiah B. Wiggin and Ira R. Phil-

A resolution in favor of Benaiah Cook; Which were severally read a third time.

Resolved, That they pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

The Senate proceeded to the order of the day on the bill from the House, entitled "An act in addition to chapter 228 of the Revised Statutes;"

Which was read a third time.

Mr. Hoskins moved that said bill be put upon its second reading for the purpose of amendment.

On the question being taken, It was decided in the negative.

Mr. Hoskins demanded the yeas and nays on said motion.

Those who voted in the affirmative, were Messrs. Colby. Brown, Hoskins, Smith and Warner-5.

Those who voted in the negative, were Messrs. Hatch, Morrill, Hale, Pierce, Pease, Charpenter and Swett-7.

So the motion was rejected.

The question being on the passage of the bill as amended.

Mr. Warner demanded the yeas and nays.

Those who voted in the affirmative, were Messrs. Hatch, Morrill, Hale, Pierce, Pease, Carpenter and Swett-7.

Those who voted in the negative, were Messrs. Colby, Brown,

Hoskins, Smith, Warner-5.

So the bill passed.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President-The Speaker of the House of Representatives has signed bills with the following titles, and the following preamble and resolutions, reported as correctly engrossed by the committee on Engrossed Bills, to wit : and and the second

"An act in relation to the Judiciary;"

"An act to annex James Ferrin of Freedom, to school district No. 4. in Eaton:"

Preamble and sundry resolutions in relation to the Military Academy at West Point;

A resolution in favor of Benjamin Stephenson and John F. Holt."

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had carefully examined the foregoing bills, resolution, and Preamble and resolutions, and found the same to be correctly engrossed.

Thereupon the President of the Senate signed said bills and resolutions, reported to be correctly engrossed by the committee on Engrossed Bills, and the same were delivered to said committee to be laid before the Governor for his approval and signature.

Mr. Colby, from the joint standing committee on Engrossed bills, reported that they had presented the foregoing bills and resolutions, by them reported to be correctly engrossed, to His Excellency, the Governor for his approval and signature.

A message from the House of Representatives by their Clerks

"Mr. President—The Speaker of the House of Representatives has signed a bill with the following title, and the following resolution, reported as correctly engrossed by the committee on Engrossed Bills, to wit:

"An act to alter the names of certain persons;"

A resolution in favor of the estate of George W. Bagley."

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had carefully examined the foregoing bill and resolution, and found the same to be correctly engrossed.

Thereupon the President signed said bill and resolution, and the same were thereupon delivered to the committee on Engrossed Bills to be laid before the Governor for his approval and signature.

Mr. Colby, from the committee on Engrossed Bills, reported that they had presented the foregoing bill and resolution, by them reported to be correctly engrossed, to His Excellency the Governor for his approval and signature.

Mr. Smith, from the standing committee on the Judiciary, to whom was referred the bill from the House, entitled "An act in amendment of chapter 117 of the Revised Statutes;" reported the following resolution:

Resolved, That the further consideration of the subject be postponed till the next session of the Legislature.

Which was adopted.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Swett, from the committee on Claims, to whom was referred a resolution authorizing the Treasurer of this State to borrow money," reported the same without amendment.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative. of a recovery samples of T

On motion of Mr. Colby-emir broose has sent a bear

Resolved, That the rules of the Senate be so far suspended that said resolution be read a third time at the present time.

Said resolution was accordingly read a third time.

Resolved, That it pass. Juga to senote ed, mort exament A

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a bill with the following title, and the following resolutions, in which they ask the concurrence of the Honorable Senate, to wit:

"An act to raise sixty thousand dollars for the use of the State;"

A resolution in relation to Registers of Probate;

A resolution making an appropriation for the contingent expenses of this State;

A resolution in favor of indigent deaf, dumb and blind persons; A resolution in favor of Zenas Clement, Jesse Carr, Franklin Simonds, Josiah Stevens 3d, and Bartholomew Smith;

A resolution in favor of Geo. W. Ela. 23 AM to not no

The foregoing bill from the House, entitled "An act to raise sixty thousand dollars for the use of the State,"

Was read a first and second time.

Ordered, That it be referred to the committee on Claims.

The foregoing resolution, in relation to Registers of Probate,

Was read a first and second time.

Ordered, That it be referred to the committee on the Judicia-

The foregoing resolutions from the House of Representatives,

to Wit:

A resolution making an appropriation for the contingent expenses of the State,

A resolution in favor of Zenas Clement, Jesse Carr, Franklin Simonds, Josiah Stevens, 3d., and Bartholomew Smith,

Were severally read a first and second time.

Ordered, That they be referred to the committee on Claims.

The foregoing resolution from the House, in favor of indigent deaf, dumb and blind persons,

. Was read a first and second time.

Ordered, That it be referred to the committee on Education.

The foregoing resolution in favor of George W. Ela,

Was read a first and second time.

Ordered, That it be referred to the committee on Printer's Accounts.

A message from the House of Representatives by their Clerk:

"Mr. President—The House are now ready to meet the Senate in Convention for the purpose of proceeding in the elections agreeably to the provisions of the laws of this State."

On motion of Mr. Warner-

Resolved, That the Senate now meet the House of Representatives in Convention, for the purpose of proceeding in the elections.

IN CONVENTION.

The Senate and House of Representatives being assembled in the Representatives' Hall, for the purpose of proceeding in the elections, agreeably to the provisions of the Constitution:

On motion of Mr. Colby of the Senate-

The Convention proceeded by ballot to the choice of a warden of the State Prison for the ensuing year.

| Whole number of votes cast | 221 |
|----------------------------|--------------------------------|
| | buodes his test g been 111 |
| Samuel G. Wilson has | I rderen, this is be really |
| isade iili ilds | I he loregoing revolute to the |
| Andrew Jackson has | to most ima series have soil |
| Carroll & Baker have | bundanada kari Palaman 1, |
| James Moore has | 1 |
| Joshua Atwood has | orl recountered water part and |
| Henry Hubbard has | . 1 |

| Woodbridge Odlin has | 1 |
|--|-----|
| George W. G. Whitton has | 2 |
| Mical Tubbs has | 6 |
| Elisha P. Liscomb has and participation will be a second by the second b | 61 |
| Samuel G. Berry has a dequation of continuous and | 144 |
| and is elected. We have the property of the land of | |

On motion of Mr. Hoskins of the Senate-

The Convention rose and the Senate returned to their chamber.

IN SENATE.

Mr. Warner, from the standing committee on Claims, to whom was referred the resolution authorizing the Governor to appoint a Chaplain for the State Prison and making a provision therefor, reported the same without amendment.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

Ordered, That the same be read a third time at three o'clock this afternoon.

Mr. Swett, from the standing committee on Claims, to whom was referred the following resolutions;

A resolution in favor of Harry Hibbard, Joel Parker and John

F. Brown;

A resolution in favor of Isaac L. Følsom and Samuel S. Dow; reported the same without amendment.

On the question,

Shall said resolutions be read a third time?

It was decided in the affirmative.

Ordered, That the same be read a third time at three o'clock this afternoon.

Mr. Smith, from the standing committee on Banks, to whom was referred the resolution in favor of I. B. Hoitt and others, re-

ported the same with the following amendment:

Strike out all after the word "that" in the second line, and insert the following: "James Burley be allowed the sum of six dollars, James Foss be allowed the sum of six dollars, in full of their respective accounts, and that the same be paid out of any money in the treasury not otherwise appropriated."

On motion of Mr. Warner— It was laid upon the table. A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have appointed Messrs. Colby, Bissell and Martin, with such as the Senate may join, a committee to wait upon the Hon. Samuel G. Berry and inform him of his election to the office of Warden of the State Prison, and if the accept said office, to receive of him the customary bond, and to inform His Excellency the Governor of his appointment."

On motion of Mr. Hoskins— Resolved, That the Senate concur in the appointment of a committee to wait upon Hon. Samuel G. Berry, and inform him of his election to the office of Warden of the State Prison, and if he accept said office, to receive of him the customary bond, and to inform His Excellency the Governor of his appointment.

Ordered, That Mr. Warner be joined to said committee on

the part of the Senate.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Colby, from the committee on the Judiciary, to whom was referred the resolutions from the House, relating to the imprisonment of citizens of this state in other states, reported the following resolution: was referred the following resolutions:

Resolved, That said resolution be indefinitely postponed;

Which was adopted.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Colby, from the same committee, to whom was referred the bill entitled "An act in amendment of the 113th chapter of the Revised Statutes," reported the same without amendment.

On the question, of bridge bear ad some ent self harsbord

Shall the bill be read a third time? It was decided in the affirmative.

Ordered. That it be read a third time at three o'clock this af-

ternoon.

Mr. Colby, from the same committee, to whom was referred the bill from the House of Representatives, entitled "An act to amend and explain the 5th section of the 225th chapter of the Revised Statutes," reported the same without amendment.

On the question, " allowing appropriate of the control of the cont

Shall it be read a third time? -- tome W all to notion of

It was decided in the affirmative. It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this af-

Mr. Colby, from the committee on the Judiciary, who were instructed to inquire into the expediency of amending the 5th section of the 39th chapter of the Revised Statutes, reported a bill: puried the same without amendment.

Which was read a first and second time.

On motion of Mr. Hoskins—smill bride a bear

Resolved, That the same be referred to the committee of the Whole, to certify the stair brief a base of veil and I

Mr. Colby, from the standing committee on Military Affairs, to whom was referred a resolution directing the Adjutant eneral to adjust the claims of the officers of the Dover artillery company, reported the following resolution:

Resolved, That said resolution be indefinitely posponed.

On the question,

Shall said resolution be adopted? It was decided in the affirmative.

So the resolution was indefinitely postponed.

Ordered, That the Clerk notify the House of Representatives accordingly. since to seminate at yet betrager nor

Mr. Hoskins, from the standing committee on Incorporations, to whom was referred the bill from the House, entitled "An act in relation to Manufacturing corporations," reported the same without amendment. allo best or thembreads the to nougobs ad-

On the question, of all with the besser and sand and

Shall the bill be read a third time? It a morphosa sal wolfor It was decided in the affirmative.

Ordered, That it be read a third time at three o'clock this afternoon.

Mr. Hoskins, from the same committee, to whom was referred the bill from the House, entitled "An act in amendment of the 146th chapter of the Revised Statutes of the State of New Hampshire," reported the same with the following amendment:

Amend the third section by striking out all after the word "effect," in the first line, and insert "on the first day of August next."

On the question, stated begins Revised by the total

Shall the amendment be adopted? ou 1002 life amogetol of I

It was decided in the affirmative phoses , los uA " believe So the amendment was adopted.

On motion of Mr. Warner prin propage bus send a base an W

The bill was laid upon the table, and a sad I have the

Mr. Hoskins, from the standing committee on Military Affairs,

to whom was referred the following bill and resolution from the House, to wit:

"An act making appropriations for the militia of this State for the year one thousand eight hundred and forty-three;"

A resolution in favor of the Boscawen artillery company;

Reported the same without amendment.

On the question,

Shall they be read a third time?

It was decided in the affirmative.

Ordered, That they be read a third time at three o'clock this afternoon.

Mr. Colby, from the committee of conference, upon the amendment adopted by the Senate to the bill from the House, entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," reported a resolution;

Which was adopted.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have adopted the resolution reported by the committee of conference of the two Houses, upon the bill entitled "An act in addition to and in amendment of chapter 172 of the Revised Statutes of the State of New Hampshire," and concur with the Honorable Senate in the adoption of their amendment to said bill.

The House have passed a bill with the following title and the following resolution, in which they ask the concurrence of the

Honorable Senate, to wit:

"An act in amendment of the charter of the Concord Railroad Corporation;"

A resolution in favor of Zenas Clement and others.

The House concur with the Honorable Senate in the adoption of their amendment to the resolution, authorizing the State Treasurer to convey to Lucinda C. Given a tract of land formerly the site of a gun house in the town of Hanover.

The House also concur with the Honorable Senate in the adoption of their amendment to the bill, entitled "An act in amend-

ment of chapter 228 of the Revised Statutes."

The foregoing bill, sent up from the House of Representatives, entitled "An act in amendment of the charter of the Concord Railroad Corporation,"

Was read a first and second time.

Ordered, That it be referred to the committee on Roads, Bridges and Canals.

The foregoing resolution sent up from the House of Representatives, in favor of Zenas Clement and others,

Was read a first and second time.

Ordered, That it be referred to the committee on Claims.

On motion of Mr. Colby—

The Senate resumed the consideration of the resolution in favor of Ira B. Hoitt and others;

Which was read as amended.

On the question, It is abadded of the moistant and a

Shall the amendment be adopted?

It was decided in the affirmative.

So the amendment was adopted. I had a less of the land of the land

On the question,

Shall it be read a third time?

It was decided in the affirmative.

Ordered, That it be read a third time at 3 o'clock this afternoon.

On motion of Mr. Smith—

The Senate adjourned.

AFTERNOON.

Mr. Carpenter, from the joint select committee appointed to wait upon Thomas P. Treadwell and inform him of his election as Secretary of State, John Atwood and inform him of his election as Treasurer, Sampson B. Lord and inform him of his election as Commissary General and Messrs. Carroll & Baker and inform them of their election as State Printers for the ensuing year, reported that they had attended to the duty assigned them and that those gentlemen respectively have signified their acceptance of the several offices to which they had been elected and have furnished the requisite bonds.

Which report was accepted.

Mr. Swett, from the standing committee on Claims, to whom was referred the message of His Excellency the Governor with the report of the Treasurer, reported the following resolution:

Resolved, That the message of His Excellency the Governor together with the report of the Treasurer be deposited in the office of the Secretary of State.

On the question,

Shall the resolution pass?

It was decided in the affirmative.

So the resolution passed.

Mr. Swett, from the same committee, to whom were referred the following bill and resolutions, reported the same without amendment:

"An act to raise sixty thousand dollars for the use of the State;"

A resolution appropriating five hundred dollars for the contingent expenses of this State; mediano add hamuset armus

A resolution in favor of Zenas Clement, Carleton & Harvey

and William Walker & Co:

A resolution in relation to the bonds of State Treasurer, Secretary and Commissary General. John of members and Hade

On the question,

Shall they be read a third time? nobs saw members and of

Ordered, That the foregoing bill and resolutions be read a third time at 10 o'clock to-morrow forenoon. he believe as at

On motion of Mr. Warner-days been ed at had To have by

Resolved, That the rules of the Senate be so far suspended, that all bills and resolutions which by the rules would be in order for a third reading to-morrow at ten o'clock in the forenoon, be read a third time this afternoon.

The foregoing bill and resolutions sent up from the House of

Representatives, to wit:

"An act to raise sixty thousand dollars for the use of the State;" A resolution appropriating five hundred dollars for the contingent expenses of this State;"

A resolution in favor of Zenas Clement, Carleton & Harvey

and William Walker & Co.;

A resolution in relation to the bonds of the State Treasurer, Secretary and Commissary General;

Were severally read a third time.

Resolved, That they pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Pierce, from the standing committee on Roads, Bridges and Canals, to whom was referred the bill, entitled "An act in amendment of the charter of the Concord railroad corporation," reported the same without amendment.

On the question,

On the question,
Shall it be read a third time?

It was decided in the affirmative. Said bill was accordingly read a third time.

Resolved, That it pass, and its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives accordingly.

Mr. Pierce, from the standing committee on Roads, Bridges and Canals, to whom was referred the bill, entitled "An act in addition to the 49th chapter of the Revised Statutes," reported the same without amendment.

On motion of Mr. Pierce_____ 19dio bas dai'd as the It was laid upon the table. On motion of Mr. Hoskins-

The Senate resolved itself into a committee of the whole for the consideration of the bill, entitled "An act in amendment of the 5th section of the 39th chapter of the Revised Statutes.

[Mr. Warner in the Chair.] On motion of Mr. Colby—

Resolved, That the committee now dissolve and that said bill

be reported without amendment.

Mr. Warner, from the committee of the Whole, reported that they have, according to order, had under consideration the bill, entitled "An act in amendment of the fifth section of chapter 39 of the Revised Statutes of the State of New Hampshire," and have instructed him to report the same without amendment.

Which report was accepted.

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

So the bill was read a third time.

Resolved, That it pass and that its title be as aforesaid.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Warner, from the joint select committee appointed to wait upon the Hon. Samuel G. Berry and inform him of his election, and receive from him the customary bonds, reported that they had attended to that duty, have received the customary bond and have presented it to His Excellency the Governor, he has approved the same and it is now at the disposal of the Legislature.

Mr. Pease, from the standing committee on Claims, to whom was referred the resolution in favor of Zenas Clement, Jesse Carr and others, reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative.

So the resolution was read a third time.

Resolved, That it pass.
Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk :

"Mr. President—The House of Representatives have passed a resolution in favor of Robert Hale and others and a resolution in favor of William Fisk and others, in which they ask the concurrence of the Honorable Senate."

The foregoing resolutions from the House of Representatives:

A resolution in favor of Robert Hale and others;

A resolution in favor of William Fisk and others;

Were read a first and second time.

Ordered, That they be referred to the committee on Claims.

The Senate proceeded to the order of the day on bills with the following titles:

"An act to incorporate the Nashville and East Wilton railroad;"

"An act to incorporate the Northern railroad company;"

"An act to incorporate the Piscataquog railroad company."

On motion of Mr. Hoskins-

Resolved, That the same be postponed to the next session of the Legislature.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Colby, from the standing committee on the Judiciary, to whom was referred a resolution from the House, relating to Registers of Probate, reported the same without amendment.

On the question,

Shall it be read a third time? It was decided in the affirmative.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Warner-

The Senate proceeded to the consideration of the bill, entitled "An act in amendment of the one hundred and forty-sixth chapter of the Revised Statutes of the State of New Hampshire."

On the question,

Shall the bill be read a third time? It was decided in the affirmative.

Said bill was accordingly read a third time.

Resolved, That it pass and that its title be as aforesaid.

Ordered, That the Clerk notify the House of Reprosentatives accordingly.

The Senate proceeded to the order of the day upon the following resolutions and bills with the following titles:

A resolution authorizing the Governor to appoint a chaplain for

the State Prison and making an appropriation therefor;

A resolution in favor of Harry Hibbard, Joel Parker and John F. Brown;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow; "An act in amendment of chapter 113 of the Revised Statutes;"

"An act to amend and explain the 5th section of chapter 225 of the Revised Statutes;"

"An act relating to Manufacturing corporations;"
"An act making appropriations for the militia;"

A resolution in favor of the Boscawen artillery company;

A resolution in favor of Ira B. Hoitt and others;

Which were severally read a third time:

Resolved, That they pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Warner, from the standing committee on Military Affairs, to whom was referred "An address for the removal of certain officers therein named," reported the same without amendment.

On the question,

Shall it be read a third time?

It was decided in the affirmative. It was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives

accordingly

Mr. Swett, from the standing committee on Claims, to whom was referred the following resolutions, reported the same without amendment, to wit:

A resolution in favor of Robert Hale and others;

A resolution in favor of William Fisk and others.

On the question,

Shall said resolutions be read a third time?

It was decided in the affirmative.

Said resolutions were accordingly read a third time.

Resolved, That they pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Pease-

The Senate proceeded to the consideration of the bill entitled, "An act to incorporate the Great Falls and Conway Railroad."

Mr. Hoskins moved to postpone said bill until the next session of the Legislature. animoles and the with the control of the Legislature.

On the question, a or contervol of gaixited us not tolers. A Shall the bill be thus postponed?

Mr. Pease demanded the yeas and nays.

Those who voted in the affirmative, were Messrs. Morrill, Colby, Hale, Brown, Hoskins, Carpenter, Smith, Swett and War-

Those who voted in the negative, were Messrs. Hatch, Pierce and Pease-3.

So the bill was postponed to the next session.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives concur with the Honorable Senate in the adoption of a resolution in relation

to the bonds of the State officers.

The House have passed a resolution authorizing the Governor and Council to appoint a committee of three persons annually to audit the accounts of the warden of the State Prison; a resolution in relation to the choice of representative from the district composed of Carroll, Nash and Sawyer's Location, Crawford's Purchase and Hart's Location; in which they ask the concurrence of the Honorable Senate.

The House concur with the Honorable Senate in the passage of a bill entitled, "An act in amendment of the fifth section of chapter thirty-nine of the Revised Statutes of the State of New Hampshire."

The foregoing resolution sent up from the House of Representatives, authorizing the Governor to appoint a committee to audit the warden's account, 1999 and 1

Was read a first and second time.

Ordered, That it be referred to the select committee on the State Prison.

The foregoing resolution sent up from the House of Representatives, in relation to the choice of a representative from the town of Carroll and other places,

Was read a first and second time.

Ordered, That it be referred to the committee on Elections.

Mr. Hale, from the standing committee on Elections, to whom was referred a resolution in relation to the choice of a representative from Carroll ond other places, reported the same without amendment.

On motion of Mr. Warner- and odd office of the state of t

It was laid upon the table for the purpose of amendment.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of their amendment to a resolution in favor of Ira B. Hoitt and others; and in the adoption of their amendment to a bill entitled, "In act in amendment of the one hundred and forty-sixth chapter of the Revised Statutes of the State of New Hampshire."

On motion of Mr. Hoskins-

Resolved, That the Senate now have a recess till seven o'clock this evening.

SEVEN O'CLOCK, P. M.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have passed a resolution authorizing the printing and distribution of the final report of the State Geologist, and making an appropriation therefor; and a resolution in favor of William Carter, jr.; in which they ask the concurrence of the Honorable Senate."

The foregoing resolution sent up from the House of Representatives, in favor of William Carter, jr.,

Was read a first and second time.

On motion of Mr. Warner-

Resolved, That the rules of the Senate be so far suspended that said resolution now be read a third time without commitment.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

The foregoing resolution sent up from the House of Representatives, in relation to the printing and distribution of the final report of the State Geologist,

Was read a first and second time.

Ordered, That it be referred to the committee on Education.

Mr. Warner, from the select committee on the State Prison, to whom was referred the resolution authorizing the Governor and Council to appoint a committee to examine and audit the accounts

of the warden of the State Prison, reported the following resolu-

Resolved, That said resolution be indefinitely postponed.

On the question,

Shall the resolution to postpone indefinitely be adopted?

It was decided in the affirmative.

So the resolution was indefinitely postponed.

Ordered, That the Clerk notify the House of Representatives accordingly.

On motion of Mr. Warner-

The Senate proceeded to the consideration of the resolution, regulating the places of holding town meetings in the classed towns of Carroll, Nash and Sawyer's Location, Crawford's Purchase and Hart's Location.

Mr. Warner moved to amend said resolution as follows:

In the 8th line, strike out "Crawford's Purchase" and insert "town of Carroll:"

In the 10th and 11th lines, strike out "the town of Carroll,"

and insert "Crawford's Purchase."

On the question,

Shall the amendment be adopted? It was decided in the affirmative.

So the amendment was adopted.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

The resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives accordingly.

The following resolution, laid upon the table by Mr. Hoskins, Senator from district No. 8, was read by the Clerk and unani-

mously adopted:

Resolved, That the thanks of this Senate be presented to the Honorable Titus Brown, for the courteous, impartial and dignified manner, in which he has discharged the duties of the chair during the present session.

To which the President replied-

Senators—The time of our separation is at hand. We are soon to bid each other adieu, and return to our several homes and friends and pursuits in life. But the pleasures of the kind and friendly intercourse we have here enjoyed, will not then be forgotten. We shall always remember, with pleasure, the spirit of

respect and good will, which have here prevailed. I, certainly, shall not forget, I shall always remember, with gratitude as well as pleasure, the generous confidence which raised me to this high station, and the courtesy and kindness which have rendered its duties comparatively easy and pleasant. For all these manifestations of your good will, and for the flattering commendation you have been pleased to bestow upon me by the resolution you have just passed, I thank you—most sincerely do I thank you.

Senators—I wish you a pleasant journey to your homes, and a happy meeting with your friends. And, hereafter, whether you are engaged in the discharge of public duties as public men, or in the more private duties of domestic and social life, may the same fidelity, the same activity of effort and purity of purpose which you have here evinced, still characterize you conduct, adorn your characters, make better and happier all with whom you may associate, and serve in no small degree to strengthen and perpetuate our free institutions.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of their amendment to the resolution, designating a central place for holding meetings for the election of a representative from the district composed of the town of Carroll, Nash and Sawyer's Location, Crawford's Purchase and Hart's Location."

Mr. Morrill, from the standing committee on Education, to whom was referred the resolution from the House, in relation to printing the final report of the State Geologist, reported the same without amendment.

Mr. Warner moved to amend said resolution as follows:

Strike out all after the resolving clause, and insert, "That the Secretary of State procure the printing of 600 copies of the final report of the Geological and Mineralogical Survey of this State, with the maps, plates and sections, and that the necessary maps, plates and sections be paid for from any money in the treasury not otherwise appropriated, and that the Governor with the advice of Council, shall decide what plates, maps and sections are necessary, and the Governor shall draw his warrant on the treasury for so much money as may be necessary therefor.

"Resolved, That five hundred copies be printed of the Geological report, to be had on sale at the same price as those furnished for the State, provided they are subscribed for before their publication.

On the question,

Shall the foregeing amendment be adopted? . .

Mr. Hatch demanded the yeas and nays.

Those who voted in the affirmative were Messrs. Morrill, Colby, Hale, Pierce, Pease, Brown, Hoskins, Carpenter, Smith, Swett and Warner-11.

Mr. Hatch voted in the negative-1.

So the amendment was adopted.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

Said resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Smith, from the joint committee on Engrossed Bills, reported that they had examined the following bills and resolutions, and find the same correctly engrossed, to wit:

"An act in favor of Jeremiah C. Tilton;"

"An act to annex Robert Hopkins of Windham to school district No. 5, in Derry;"

A resolution authorizing the State Treasurer to borrow forty

thousand dollars;

A resolution in favor of Benaiah Cook;

A resolution in favor of Josiah B. Wiggin and Ira R. Philbrick;

A resolution in favor of Lucinda C. Given;

"An act to raise sixty thousand dollars for theuse of the State;"

A resolution appropriating fifteen hundred dollars for the education of indigent deaf and dumb, and five hundred dollars for the education of the indigent blind;

A resolution in favor of Zenas Clement, Carlton & Harvey and

Walker & Co.;

A resolution appropriating five hundred dollars for contingent

A resolution in favor of the Boscawen Artillery company."

A message was received from the House of Representatives, giving information that the Speaker of that body had signed the foregoing bills and resolutions, reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay them before the Senate for the signature of their President.

Thereupon the President of the Senate signed said bills, and resolutions, and the same were delivered to the committee on Engrossed Bills to be laid before the Governor for his approval and signature.

Mr. Smith, from the joint committee on Engrossed Bills, reported that they had presented to His Excellency the Governor, for his approval and signature, the foregoing acts and resolutions, by them reported to be correctly engrossed.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have passed a resolution, authorizing the Governor to apply the unexpended balance of the appropriation made at the present session, for the benefit of the indigent blind and partially blind persons of this State at the Asylum at Boston, to the education of the indigent deaf and dumb persons of this State at the Asylum at Hartford, in which they ask the concurrence of the Honorable Senate."

The foregoing resolution from the House of Representatives, "authorizing the Governor to apply the unexpended balance of the appropriation made at the present session for the indigent blind and deaf and dumb,"

Was read a first and second time.

On the question,

Shall the resolution be read a third time?

It was decided in the affirmative.

On motion of Mr. Warner-

Resolved, That the rules of the Senate be so far suspended, that the same be read a third time at the present time without commitment.

The resolution was accordingly read a third time.

Resolved, That it pass.

Ordered, That the Clerk notify the House of Representatives

accordingly.

Mr. Smith, from the standing committee on Banks, to whom was referred the resolution relating to the Connecticut River Bank, reported the following resolution,

Resolved, That said resolution be indefinitely postponed.

On the question,

Shall the resolution be adopted? It was decided in the affirmative.

So the resolution was adopted.

On motion of Mr. Colby—

Resolved, That when the Senate adjourns this afternoon it adjourn to meet at four o'clock to-morrow morning.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had examined the following bills, address and resolutions and find the same correctly engrossed.

"An act relating to Manufacturing corporations;"

"An act in amendment of the charter of the Concord Rail-road corporation;"

"An act making appropriations for the Militia of this State, for

the year one thousand eight hundred and forty-three;"

"An address in favor of the removal of certain officers therein named."

A resolution in favor of Wm. Fisk, Currier & Hall, Porter & Rolfe, Franklin Evans and Joseph Robinson.

A resolution in favor of Geo. W. Ela;

A resolution in favor of Isaac L. Folsom and Samuel S. Dow;

A resolution relating to Registers of Probate;

A resolution in favor of James Burley and James Foss;

A resolution in favor of Harry Hibbard, Joel Parker and John

A resolution relating to the instruction of convicts in the State

A message was received from the House of Representatives, giving information that the Speaker of that body had signed the foregoing bills, address and resolutions, reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay the same before the Senate, for the signature of their President.

Thereupon the President of the Senate signed said bills, address and resolutions, and the same were delivered to the committee on Engrossed Bills to be laid before His Excellency the Governor for his approval and signature.

Mr. Colby, from the standing committee on Engrossed Bills, reported that they had presented the foregoing bills, address and resolutions, by them reported to be correctly engrossed, to His Excellency the Governor for his approval and signature.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Honorable Senate in the adoption of their amendment to the resolution, directing the publication of the final report of the State Geologist, and making an appropriation therefor, with an amendment, in which they ask the concurrence of the Honorable Senate." On motion of Mr. Hoskins-

Resolved, That the Senate concur with the House of Repre-

sentatives in their amendment to said resolution.

Ordered, That the Clerk notify the House of Representatives accordingly.

A message from the House of Representatives by their Clerk:

"Mr. President-The House of Representatives have passed a resolution discharging the State Geologist from further services in that capacity, except so far as may be necessary to complete the printing of his final report, in which they ask the concurrence of the Hon. Senate.

The foregoing resolution sent up from the House of Representatives, discharging the State Geologist from further services in

that capacity,

. Was read a first and second time.

Mr. Hoskins moved that said resolution be indefinitely postponed. membrane

On the question being put,

It was decided in the negative lyobs ad transplants and llede

Mr. Hoskins, moved that the resolution be put upon its second reading for the purpose of amendment.

On the question being put,

It was decided in the affirmative.

So the resolution was put upon its second reading.

Mr. Hoskins moved to amend said resolution as follows:

Strike out all after the resolving clause, and insert instead

"That with the close of the printing of the present report of the State Geologist, the Geological survey of our State shall cease."

But before the question was taken,

On motion of Mr. Colby-It was laid upon the table.

Mr. Colby, from the joint standing committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following resolutions:

A resolution in favor of Wm. Carter, jr.;

A resolution in favor of Robert Hale, R. D. Mooers, Joel Frazier, Jacob C. Carter and Atkinson Webster;

A resolution in relation to the classification of Carroll, Nash &

Sawyers Location, &c.;

A resolution in favor of Zenas Clement, Jesse Carr, Franklin Simonds, Josiah Stevens, 3d, and Bartholomew Smith.

A message was received from the House, giving information, that the Speaker of that body had signed the foregoing resolutions reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay them before the Senate for the signature of their President.

Thereupon the President of the Senate signed said resolutions, and the same were delivered to the committee on Engrossed Bills, to be laid before the Governor for his approval and signa-

Mr. Colby, from the committee on Engrossed Bills, reported that they had presented the aforesaid resolutions, by them reported to be correctly engrossed, to His Excellency the Governor for his approval and signature.

On motion of Mr. Colby-

The Senate proceeded to the consideration of the resolution, from the House, "discharging the State Geologist from further service in said capacity."

The question being upon the adoption of the amendment,

Shall the amendment be adopted? and animal habitant

It was decided in the negative. So the amendment was rejected.

Mr. Hoskins moved to amend said resolution as follows-Strike out all after the resolving clause and insert instead

thereof.

"That the Geological survey of this State be no further prosecuted, and the services of the State Geologist be dispensed with, except so far as may be necessary to complete the printing of his final Report."

On the question,

Shall the foregoing amendment be adopted?

It was decided in the affirmative. So the amendment was adopted.

Ordered, That the Clerk notify the House of Representatives accordingly.

Simonds, Josiah Stevens, 3d. and Bartholomew South.

On motion of Mr. Warner-

The Senate adjourned. Salwolld and hessons

SATURDAY, JULY 1, 1843.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives concur with the Hon. Senate in the adoption of their amendment to the resolution relating to the discharging of the State Geologist."

Mr. Smith, from the joint standing committee on Engrossed Bills, reported that they had carefully examined the following bill and resolution, and find the same to be correctly engrossed:

"An act in addition to and in amendment of the Revised Stat-

utes of the State of New Hampshire;"

A resolution authorizing the printing of the Geological and Mineralogical report:

A resolution authorizing the Governor to apply money for the education of the indigent deaf and dumb at Hartford;

A resolution relating to the Geological survey of the State.

A message was received from the House of Representatives, giving information that the Speaker of that body had signed the foregoing bill and resolutions, reported as correctly engrossed by the committee on Engrossed Bills, and their Clerk was directed to lay them before the Senate for the signature of their President.

Thereupon the President of the Senate signed said bill and resolution, and the same were delivered to the committee on Engrossed Bills, to be laid before His Excellency the Governor for his approval and signature.

Mr. Smith, from the joint committee on Engrossed Bills, reported that the foregoing act and resolutions by them found to be correctly engrossed, have been presented to the Governor for approval and signature.

A message from the House of Representatives by their Clerk:

"Mr. President—The House of Representatives have appointed Messrs. Clarke of Atkinson, Wilson of Lee, Tilton of Sandbornton, Cook, Sceva of Andover, Dodge of New Boston, Tudor, Little, Jenness of Piermont and Perkins of Pittsburgh a committee, with such as the Honorable Senate may join, to wait upon His Excellency the Governor and inform him that the business of the present session being closed both branches of the Legislature are now ready to be adjourned to the last Wednesday of May next, in which they ask the concurrence of the Honorable Senate."

On motion of Mr. Hoskins-

Resolved, That the Senate concur with the House of Representatives in the appointment of a joint select committee to wait upon His Excellency the Governor and inform him that the business of the present session being closed, both branches of the Legislature are ready to be adjourned to the last Wednesday of May next.

Ordered, That Messrs. Swett, Pease and Morrill be joined to

said committee on the part of the Senate.

Ordered, That the Clerk notify the House of Representatives ution, and find the same to be corre

accordingly.

Mr. Colby, from the joint committee on Engrossed Bills, reported that they had presented to His Excellency the Governor all the engrossed bills, resolutions and addresses which have passed both branches of the Legislature during the present session.

Mr. Swett, from the joint select committee appointed to wait upon His Excellency the Governor and inform him that both branches of the Legislature are now ready to be adjourned, re-

ported that they had attended to the duty assigned them.

A message from His Excellency the Governor by Mr. Treadwell, Secretary of State: and and energy and enough was or

" To the Senate and House of Representatives:

I have approved all the acts and resolutions which you have passed at this session and presented for my consideration, and have been informed through your joint committee that the public business before you has been completed, and that you are ready now to be adjourned, I do therefore, by virtue of the authority in me vested, and in compliance with the request as communicated to me by your committee, adjourn this Legislature to the last Wednesday of May next.

As this will undoubtedly be the last executive communication I shall ever be called upon to make to any Legislature, I cannot fail to recur to many of the events of my administration. Some of the measures recommended have awakened much interest among the people, and elicited an able and patriotic discussion among their representatives. It is to be hoped that the best interest of the State will have been subserved by an adherence to the policy which I have thrice presented to the consideration of the Legislature. All, I trust, have been actuated in their course by a sense ofpu blic duty; and whatever differences of opinion may have arisen in the consideration of public measures, it should never lead to the formation of personal animosities.

We are sojourning here only for a short time, and we should so conduct in life as to meet the approbation of the Judge of all.

I shall ever hold each individual member of this Legislature in the most kind and grateful remembrance. My best wishes will attend you individually through this life, and may each of you have a safe journey to your homes and a happy interview with your families and friends, and when our labors on earth shall be ended, may we all find peace and happiness in heaven.

HENRY HUBBARD.

Council Chamber, July 1, 1843."

The President then declared the Senate adjourned to the last Wednesday of May next, at ten o'clock in the forenoon.

Attest— HENRY E. BALDWIN, Clerk.

ATURDAY, JULY 1, 1843.

arken in the consideration of public measures, it should nevel

We are solourning here only for a short one, not we should be consulted in the action of the Judge of all.

I shad ever hold each individual member of this Legislature in the roost kind and grateful remembrance. My best wished will strend you individually through this life, and may each of you have a safe journey to your bomes and a happy interview with your families and friends, and when our labors on earth shall be added, may we all and peace and happiness in heaven.

HENRY HUBBARD.

Council Chamber, July 1, 1843.

The President then declared the Senate adjourned to the low Wednesday of May next, at ten o'clock in the forenoon.

HENRY E. BALDWIN, Clerk

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